



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING January 14, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee and Ordinance Committee met at 1:00 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: City Administrator/Clerk James L. Armstrong, Acting City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

SPEAKERS: Ken Saks.

CONSENT CALENDAR (Item Nos. 23, and 1 – 9)

The titles of the resolution and ordinance related to the Consent Calendar were read.

MOTION:

Councilmembers Horton/Falcone to approve the Consent Calendar as recommended.

VOTE:

Unanimous voice vote.

23. SUBJECT: RECYCLED WATER USER AGREEMENT WITH CAPITAL PACIFIC HOLDINGS, LLC (540.13)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the User Agreement Between the City of Santa Barbara and Capital Pacific Holdings, LLC, for Delivery of the City's Recycled Water to the Capital Pacific Holding Irrigation System Located at 214 East Yanonali Street. (Introduced on January 7, 2003)

ACTION: Approved the recommendation; Ordinance No. 5264; Agreement No. 20,875.

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meetings of December 24, and December 31, 2002 (cancelled due to lack of a quorum).

ACTION: Approved the recommendation.

2. SUBJECT: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT AMENDMENT FOR THE AIRPORT (560.09)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute Amendment No. 1 to Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant Nos. 3-06-0235-24 and 3-06-0235-25, amending the grants to add a special provision to use electronic processing by Letter of Credit for grant payment reimbursements.

ACTION: Approved the recommendation; Agreement No. 20,873 (January 14, 2003, Airport Director's report).

3. SUBJECT: PARKS AND RECREATION COMMUNITY (PARC) FOUNDATION ANNUAL REPORT (570.05)

RECOMMENDATION: That Council receive the FY 2002 Annual Report from the Parks and Recreation Community (PARC) Foundation.

ACTION: Approved the recommendation (January 14, 2003, Parks and Recreation Director's report).

4. SUBJECT: CONTRACT FOR DESIGN OF PHASE III OF THE STATE TRANSPORTATION IMPROVEMENT PROGRAM REHABILITATION AND OVERLAY PROJECT (530.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a professional services contract with MNS Engineers, Inc. (MNS), in the amount of \$79,225 for engineering design services for road rehabilitation design; and
- B. Authorize the Public Works Director to approve expenditures of up to \$7,923 for extra services of MNS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Agreement No. 20,874 (January 14, 2003, Public Works Director's report).

5. SUBJECT: ACTING CITY ADMINISTRATOR (170.01)

RECOMMENDATION: That Council approves the following persons to serve as Acting City Administrator during any temporary absence or disability of the City Administrator:

- Joan Kent, Assistant City Administrator
- John Bridley, Waterfront Director
- Warner McGrew, Fire Chief
- Carol Keator, Library Director
- Tony Nisich, Public Works Director
- Richard Johns, Parks and Recreation Director
- Robert Peirson, Finance Director

The above shall serve in the order listed unless otherwise designated by either the City Administrator or by the City Council.

ACTION: Approved the recommendation (January 14, 2003, City Administrator's report).

6. SUBJECT: COOPERATIVE RELATIONS AGREEMENT WITH UNIVERSITY OF CALIFORNIA AT SANTA BARBARA, LONG RANGE DEVELOPMENT PLAN (150.02)

RECOMMENDATION: That Council approve additional road improvement projects to be included in UCSB's Long Range Development Plan Mitigation Agreement dated January 22, 1991.

ACTION: Approved the recommendation (January 14, 2003, Community Development Director's report).

7. SUBJECT: SCHEDULED POLICE SWORN SALARY INCREASES IN APPROVED MEMORANDUM OF UNDERSTANDING (410.06)

RECOMMENDATION: That Council 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 Police Sworn Salaries Effective January 11, 2003.

ACTION: Approved the recommendation; Resolution No. 03-004 (January 14, 2003, Assistant City Administrator's report).

NOTICES

8. The City Clerk has on Thursday, January 9, 2003, 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.
9. Cancellation of the regular City Council and Redevelopment Agency meetings of January 21, 2003, at 2:00 p.m. due to the lack of a quorum.

This concluded the Consent Calendar.

FINANCE COMMITTEE AND ORDINANCE COMMITTEE REPORTS

FINANCE COMMITTEE

10. SUBJECT: FINANCE COMMITTEE AGENDA, JANUARY 14, 2003, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF STATE BUDGET UPDATE (120.03)
11. SUBJECT: REPORT FROM FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee heard a presentation on the State budget.

ORDINANCE COMMITTEE

12. SUBJECT: ORDINANCE COMMITTEE AGENDA, JANUARY 14, 2003, 1:00 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF DEMOLITION REVIEW ORDINANCE (120.03)
13. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Gregg Hart reported that the Committee met to discuss ordinance amendments regarding historic structures and demolition; the Committee unanimously agreed to forward the amendments to the Council after a review by the Historic Landmarks Commission.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Fairly reported on a meeting of Board of Water Commissioners at the El Estero Water Treatment Plant.
- Councilmember Falcone reported on the Housing Opportunity Task Force meeting that she attended last Friday.

RECESS

2:10 p.m. – 2:52 p.m., during which time the Redevelopment Agency meeting, Item Nos. 14 – 17, was completed.

ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. SUBJECT: REORGANIZATION AND RECLASSIFICATION OF POSITIONS IN THE CITY ADMINISTRATOR'S OFFICE (410.06)

RECOMMENDATION: That the Council 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 City Administrator's Office Effective January 11, 2003.

DOCUMENTS:

- January 14, 2003, City Administrator's report.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: City Administrator James L. Armstrong.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendation; Resolution No. 03-005.

VOTE:

Unanimous roll call vote.

PARKS AND RECREATION DEPARTMENT

19. SUBJECT: ORDINANCE CHANGE ALLOWING THE LANDING OF PARAGLIDERS AND HANG GLIDERS AT EAST BEACH (570.05)

RECOMMENDATION: That the City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 15.16.220 and Chapter 18.18 of the Municipal Code Pertaining to the Use of Hang Gliders and Paragliders Within the City of Santa Barbara.

DOCUMENTS:

- January 14, 2003, Parks and Recreation Director's report.
- January 3, 2003, letter from James H. Hurley, Jr.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Jeff Cope; Acting City Attorney Stephen P. Wiley; City Administrator James L. Armstrong.
- Members of the Public: Clark Estate: John Douglas, James H. Hurley, Jr.; Santa Barbara Zoo: Chris Briggs; Santa Barbara Soaring Association: John Greynald, Dr. Glenn Miller, Rob Sporrer, David Haight, Bobbie Bratz, Robert Hurlbett.

MOTION:

Councilmembers Hart/Secord to approve the recommendation.

VOTE:

Majority voice vote (Ayes: Councilmembers Falcone, Fodayemi, Hart, Secord; Noes: Councilmembers Fairly, Horton, Mayor Blum).

DISCUSSION:

City Administrator James L. Armstrong stated that staff will work with the Santa Barbara Association and adjacent property owners to prepare a document indicating preferred flight patterns. The Council directed staff to review the affects one year from the effective date of the ordinance.

RECESS

4:12 p.m. – 4:22 p.m.

20. SUBJECT: BOARD OF PARK COMMISSIONERS AND RECREATION COMMISSION MEMBER APPOINTMENTS (570.08)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Regarding the Concurrent Appointment of Individuals to Serve on the Board of Park Commissioners and the Recreation Commission;
- B. Appoint Park Commissioner Steve Forsell to the Recreation Commission;
- C. Appoint Recreation Commissioners Esther Baum and Ada Conner to the Park Commission; and
- D. Make an appointment to the Park Commission and Recreation Commission to fill the vacancy for the term ending December 31, 2006.

DOCUMENTS:

- January 14, 2003, Parks and Recreation Director's report.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

- Staff: Parks and Recreation Director Richard Johns, City Clerk Services Manager Mabi Covarrubias Plisky.
- Members of the Public: Ken Loch.

MOTION:

Councilmembers Fairly/Secord to approve Recommendation A; Resolution No. 03-006.

VOTE:

Majority roll call vote (Ayes: Councilmembers Fairly, Falcone, Fodayemi, Horton, Secord, Mayor Blum; Noes: Councilmember Hart).

MOTION:

Councilmembers Secord/Horton to approve Recommendations B and C.

VOTE:

Unanimous vote.

APPOINTMENTS:

Steve Forsell was appointed to the Recreation Commission for a term expiring December 31, 2004; Esther Baum was appointed to the Park Commission for a term expiring December 31, 2004; Ada Conner was appointed to the Park Commission for a term expiring December 31, 2005.

(Cont'd)

20. (Cont'd)

NOMINEES:

Bernard Krakower, Paul Lamberton, Beebe Longstreet.

VOTE:

- For Krakower: Councilmember Horton.
- For Lamberton: Councilmember Falcone.
- For Longstreet: Councilmembers Fairly, Fodayemi, Hart, Secord, Mayor Blum.

ACTION:

By majority roll call vote, the Council re-appointed Beebe Longstreet.

APPOINTMENTS:

Beebe Longstreet was re-appointed to the Park Commission and Recreation Commission for a term expiring December 31, 2006.

MAYOR AND COUNCIL REPORTS

21. SUBJECT: APPOINTMENT OF NEW MAYOR PRO TEMPORE, ORDINANCE COMMITTEE, FINANCE COMMITTEE, AND ADVISORY GROUP LIAISONS (140.07)

RECOMMENDATION: That Council consider the appointment of a Mayor Pro Tempore, Chairs and members of the Ordinance and Finance Committees, and Liaisons to Advisory Boards and Commissions.

DOCUMENTS:

January 14, 2003, City Administrator's report.

ACTION:

By consensus, the Council made the following appointments:

Mayor Pro Tempore: Councilmember Secord.

Ordinance Committee Chair: Councilmember Falcone.

Ordinance Committee Members: Councilmembers Fodayemi, Horton.

Finance Committee Chair: Councilmember Hart.

Finance Committee Members: Councilmembers Fairly, Secord.

ACTION:

The Council reviewed the Council Liaisons list and made the following changes:

(Cont'd)

21. (Cont'd)

Advisory Group Liaisons

Creeks Restoration and Water Quality Improvement Program
Citizen Advisory Committee.....Falcone
Santa Barbara Metropolitan Transit District Board Secord

The Public Access Advisory Committee and Santa Barbara Public Facilities Corporation were removed from the list. The Park Commission and Recreation Commission will be listed together.

Council Committees

Looking Good Santa Barbara Committee.....Folayemi

City-Related Agencies

Elings Park Foundation Fairly, Horton
Joint Affordable Housing Task Group..... Blum, Falcone
Parks and Recreation Community (PARC) Foundation..... Fairly, Falcone
Westside Community Group..... Folayemi

The Task Force on Vehicle Dwelling was removed from the list.

Regional Agencies

Earl Warren Showgrounds Mutual Interest
CommitteeBlum, Secord; Alternate: Horton
Santa Barbara County Association of Governments Hart; Alternate: Blum

Caltrans Project Development Team was removed from the list.

National and State Organizations

League of California Cities Administrative Services
Policy Committee Fairly, Horton
League of California Cities Transportation, Communications
and Public Works Blum, Falcone
National League of Cities Energy, Environment and Natural
Resources Committee Secord

The Channel Cities Division of the League of California Cities (President) was removed from the list.

RECESS:

4:46 p.m. – 4:56 p.m.

CLOSED SESSIONS

22. SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider pending and anticipated litigation pursuant to subsections (b) and (c) of section 54956.9 of the Government Code and take appropriate action as needed. Initiation of litigation: two potential cases.

Scheduling: Duration, 20 minutes; anytime

DOCUMENTS:

January 14, 2003, City Attorney's report.

TIME:

4:56 p.m. – 6: 05 p.m.

RECESS

6:05 p.m. – 6:06 p.m. The Council reconvened in the Council Chamber.

ANNOUNCEMENT:

Acting City Attorney Stephen P. Wiley reported that the Council met in closed session for Agenda Item No. 22; no reportable action was taken during the closed session.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:07 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK