



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING May 27, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:04 p.m. (The Finance Committee met at 12:00 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 Blum.

ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Gregg A. Hart, Dan B. Secord, Mayor Blum.

Councilmembers absent: Babatunde Fodayemi, Roger L. Horton.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING MAY 28, 2003, AS DAY OF THE YOUNG SCHOLAR (120.04)

ACTION: Proclamation presented to Bruce Micheel, President, Santa Barbara Scholarship Foundation.

CHANGES TO THE AGENDA

Item Removed from Agenda

At the request of City Administrator James L. Armstrong, the following item was removed from the Agenda.

20. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (160.03)

RECOMMENDATION: 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 *James Robert Begg v. City of Santa Barbara, et al.*, SBSC Case No. 1112953.

Scheduling: Duration, 25 min.; anytime

PUBLIC COMMENT

SPEAKERS: Tony Romasanta, Kate Smith.

CONSENT CALENDAR (Item Nos. 2 – 14)

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

MOTION:

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

VOTE:

Unanimous roll call vote (Absent: Councilmembers Fodayemi, Horton).

2. SUBJECT: AIRPORT RECORDS DESTRUCTION (160.06)

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

ACTION: Approved the recommendation; Resolution No. 03-031 (May 27, 2003, Airport Director's report).

3. SUBJECT: ENCROACHMENT PERMIT AND TRANSFORMER LEASE FOR CARRILLO HOTEL (330.10)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Certain Agreements with Urban Pacific, LLC, a California Limited Liability Company, the Owner of the Carrillo Hotel Located at 31 West Carrillo Street (APN 039-321-001), Said Agreements Being Generally Identified as: (1) An Encroachment Permit and Agreement for Structures in a Public Paseo; (2) A Lease of City Property for an Electrical Facility on City Property Known as Parking Structure No. 2 (APN 039-321-047); and (3) A Memorandum of Lease; and Authorizing the Public Works Director to Execute the Same. (Introduced on May 20, 2003)

ACTION: Approved the recommendation; Ordinance No. 5276; Agreement Nos. 21,020 – 21,022 (May 27, 2003, Public Works Director's Report).

4. SUBJECT: AIRPORT LEASE AGREEMENTS WITH HOMER T. HAYWARD LUMBER COMPANY FOR BUILDING 247 AND 81 FREDERIC LOPEZ ROAD (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a month-to-month Lease Agreement with Homer T. Hayward Lumber Co., a California corporation, for 6,327 square feet of Building 247 and 7,200 square feet of paved land at 400 David Love Place, at the Santa Barbara Airport, effective April 1, 2003, for a monthly rental of \$4,841, exclusive of utilities;
- B. Approve and authorize the Airport Director to execute a three-year Lease Agreement, with one three-year option, with Homer T. Hayward Lumber Co., a California corporation, for 45,810 square feet of unimproved land at 81 Frederic Lopez Road, at the Santa Barbara Airport, effective April 1, 2003, for a monthly rental of \$7,786, exclusive of utilities; and
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and Homer T. Hayward Lumber Co., for Operation of a Lumber Yard and Associated Uses, at the Santa Barbara Municipal Airport.

ACTION: Approved the recommendations (May 27, 2003, Airport Director's report).

5. SUBJECT: AIRPORT LEASE AMENDMENT WITH THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES, DEPARTMENT OF JUSTICE (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute an amendment to Lease Agreement No. 18,359, as amended, for 6,000 square feet of Building 226 and 1,600 square feet of adjacent land at 6190 Francis Botello Road, extending the term to March 31, 2005, and increasing the rental to \$7,908.20 per month, exclusive of utilities; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Amendment Agreement, Extending the Term of Lease Agreement No. 18,359, as Amended, Between the City of Santa Barbara and the State of California, Department of General Services, at the Santa Barbara Airport.

ACTION: Approved the recommendations (May 27, 2003, Airport Director's report).

6. SUBJECT: AIRPORT LEASE AGREEMENT WITH DEPARTMENT OF GENERAL SERVICES, TRANSPORTATION SECURITY ADMINISTRATION (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a five-year Lease Agreement, three years fixed with one two-year option, with the General Services Administration (GSA) on behalf of the Transportation Security Administration (TSA), for 335 square feet of Building 120 at 114 William Moffett Place, at the Santa Barbara Airport, effective April 1, 2003, for a monthly rental of \$1,695.

ACTION: Approved the recommendation; Agreement No. 21,023 (May 27, 2003, Airport Director's report).

7. SUBJECT: AIRPORT CONSENT TO ENCUMBRANCE OF LEASEHOLD ESTATE FOR PACTUCO, INC., 323 DAVID LOVE PARTNERSHIP (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a Lessor Estoppel Certificate and Consent to Encumbrance of Leasehold Estate for PacTuCo, Inc., 323 David Love Partnership.

ACTION: Approved the recommendation; Agreement No. 21,024 (May 27, 2003, Airport Director's report).

8. SUBJECT: LAURO RESERVOIR WATER QUALITY ANALYSIS (540.09)

RECOMMENDATION: That Council authorize the General Services Manager to issue a Purchase Order to McGuire Environmental Consultant's Inc. (McGuire Environmental), to perform a raw water quality investigation and report in an amount not to exceed \$40,000.

ACTION: Approved the recommendation (May 27, 2003, Public Works Director's report).

9. SUBJECT: FISCAL YEAR 2003 INTERIM FINANCIAL STATEMENTS FOR THE TEN MONTHS ENDED APRIL 30, 2003 (250.02)

RECOMMENDATION: That Council accept the fiscal year Interim Financial Statements for the Ten Months Ended April 30, 2003.

ACTION: Approved the recommendation (May 27, 2003, Finance Director's report).

10. SUBJECT: SERVICE AGREEMENT FOR LABOR NEGOTIATIONS (440.03)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement with the law firm of Liebert Cassidy Whitmore to secure specialized legal services during labor negotiations in an amount not to exceed \$44,000.

ACTION: Approved the recommendation; Agreement No. 21,025 (May 27, 2003, City Administrator's report).

NOTICES

11. Received a letter of resignation from Fire and Police Commissioner Sharon Anderson; the unscheduled vacancy will be part of the next City Advisory Group Recruitment. (520.01)

12. A member of the Finance Committee, City Council, and Redevelopment Agency will be teleconferencing from the following location:

Dan B. Secord, M.D., Residence
416 Montgomery Street
Santa Barbara, CA 93103

13. The City Clerk has on Thursday, May 22, 2003, at 3:00 p.m. posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
14. The City Clerk has on Thursday, May 22, 2003, at 3:00 p.m. posted this agenda at 416 Montgomery Street, Santa Barbara.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORTS

15. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, MAY 27, 2003, 12:00 P.M., IN ROOM 15 (120.03)
- A. Review of Fiscal Year 2004 Recommended Budget; and
 - B. April 30, 2003, Investment Report and March 31, 2003, Fiscal Agent Report (see Item No. 17).

16. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Finance Committee met to hear department presentations in connection with its review of the Fiscal Year 2004 Recommended Budget. They also met to review the April 30, 2003, Investment Report and the March 31, 2003 (Item No. 17).

17. SUBJECT: APRIL 30, 2003, INVESTMENT REPORT AND MARCH 31, 2003, FISCAL AGENT REPORT (260.02)

RECOMMENDATION: That Council:

- A. Accept the April 30, 2003, Investment Report; and
- B. Accept the March 31, 2003, Fiscal Agent Report.

DOCUMENTS:

May 27, 2003, Finance Director's report.

SPEAKERS:

Staff: Finance Director Robert Peirson.

MOTION:

Councilmembers Hart/Secord to approve the recommendations.

VOTE:

Unanimous roll call vote (Absent: Councilmembers Folayemi, Horton).

ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

18. SUBJECT: THIRD QUARTER CAPITAL IMPROVEMENT PROJECTS UPDATE FOR FISCAL YEAR 2002-2003 (230.01)

RECOMMENDATION: That Council receives, for information only, the Capital Improvement Projects Third Quarter Update for Fiscal Year 2002-2003.

DOCUMENTS:

May 27, 2003, Public Works Director's report.

SPEAKERS:

Staff: Assistant Public Works Director Pat Kelly.

DISCUSSION:

Staff presented an update on the Capital Improvement Projects for Fiscal Year 2002-2003.

19. SUBJECT: RESOLUTION IMPLEMENTING SCHOOL TRAFFIC SAFETY PROGRAM (ASSEMBLY BILL 1886) (530.05)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Vehicle Code Section 42011 and Authorizing the Establishment of a School Traffic Safety Program Pursuant to Assembly Bill 1886.

(Cont'd)

19. (Cont'd)

DOCUMENTS:

May 27, 2003, Public Works Director's report.

SPEAKERS:

Staff: Transportation Planning Manager Browning Allen, Mobility Coordinator Drusilla Van Hengel, City Administrator James L. Armstrong.

MOTION:

Councilmembers Secord/Falcone to approve the recommendation and to direct staff to explore the feasibility of having the same signs in Spanish; Resolution No. 03-032.

VOTE:

Unanimous roll call vote (Absent: Councilmembers Fodayemi, Horton).

RECESS

2:34 p.m. – 2:35 p.m., during which time the Redevelopment Agency meeting was called to order.

JOINT REDEVELOPMENT AGENCY/CITY COUNCIL SESSION

The City Council and the Redevelopment Agency convened in joint session at 2:35 p.m.

RECESS

2:37 p.m. – 2:40 p.m.

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

RECOMMENDATION: That the City Council and the Redevelopment Agency Board hold a joint closed session to consider pending litigation pursuant to subsection (b)(1) and (c) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case.

Scheduling: Duration, 25 min.; anytime

DOCUMENTS:

May 27, 2003, City Attorney's report.

TIME:

2:40 p.m. – 3:05 p.m.

RECESS

3:05 p.m. – 6:00 p.m. The City Council and Redevelopment Agency reconvened in the Council Chamber.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Hart, Secord, Mayor Blum.

Councilmembers absent: Fodayemi, Horton.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wallace, Deputy City Clerk Alcazar.

ANNOUNCEMENT:

City Attorney/Agency Counsel Daniel Wallace reported that the City Council and Redevelopment Agency met in Closed Session for Item No. 21 and there was nothing to report at this time.

The City Council and Redevelopment Agency joint session concluded at 6:01 p.m. The Redevelopment Agency meeting was adjourned at 6:01 p.m. The Council meeting remained in session.

PUBLIC COMMENT

SPEAKERS: No one wished to speak.

PUBLIC HEARINGS

22. SUBJECT: FISCAL YEAR 2004 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Continue the public hearing from Tuesday, May 20, 2003, on the Fiscal Year 2004 Recommended Operating and Capital Budget;
- B. Hear a report covering the Community Development and Public Works Departments in connection with Council's review of the Fiscal Year 2004 Recommended Operating and Capital Budget; and
- C. Continue the public hearing to Tuesday, June 3, 2003, at 2:00 p.m.

DOCUMENTS:

- May 27, 2003, Finance Director's report.
- May 27, 2003, Community Development Department's PowerPoint presentation prepared by staff.
- May 27, 2003, Public Works Department PowerPoint presentation prepared by staff.
- May 27, 2003, Water & Wastewater Capital Programs PowerPoint presentation prepared by staff.
- May 27, 2003, Streets/Transportation PowerPoint presentation prepared by staff.

(Cont'd)

22. (Cont'd)

PUBLIC HEARING OPENED (Continued from May 20, 2003):
6:02 p.m.

SPEAKERS:

- Staff: Assistant Finance Director Robert Samario, Community Development Director Paul Casey, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Planning Commission: Commissioner Jonathan Maguire.

RECESS

7:13 p.m. – 7:21 p.m.

SPEAKERS (Cont'd)

- Staff: Public Works Director Anthony Nisich, Public Works Administrative Officer Bill McTomney, Water Resources Manager Bob Roebuck, Assistant Public Works Director Pat Kelly.

ACTION:

By consensus, the public hearing was continued to June 3, 2003, at 2:00 p.m.

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:52 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK