



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 18, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Pro Tempore H. P. Fairly called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which are ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Fairly.

ROLL CALL

Councilmembers present: Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Pro Tempore Fairly.

Councilmembers absent: Mayor Marty Blum.

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

PUBLIC COMMENT

SPEAKERS: Ken Loch and Richard Robinson.

CONSENT CALENDAR (Item Nos. 1 - 13)

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

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of June 4, 2002.

ACTION: Approved the recommendation.

2. SUBJECT: JOB RECLASSIFICATION IN PUBLIC WORKS DEPARTMENT (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. 01-064, the Position and Salary Control Resolution for Fiscal Year 2001-2002, Affecting the Public Works Department Effective June 15, 2002.

ACTION: Approved the recommendation; Resolution No. 02-069 (June 18, 2002, Assistant City Administrator's report).

3. SUBJECT: INCREASE THE APPROPRIATIONS AND ESTIMATED REVENUES FOR THE MISCELLANEOUS GRANT FUND (580.03)

RECOMMENDATION: That Council increase the appropriations and estimated revenues for the Miscellaneous Grant Fund in the amount of \$25,000 from the County of Santa Barbara for the Rental Housing Mediation Task Force for services provided to residents in the unincorporated areas of the County for the period of July 1, 2002, through June 30, 2003.

ACTION: Approved the recommendation (June 18, 2002, Community Development Director's report).

4. SUBJECT: NOTICE OF COMPLETION – SHEFFIELD PUMP STATION VARIABLE FREQUENCY DRIVE PROJECT, CONTRACT NO. 20,367, BID NO. 3304 (540.09)

RECOMMENDATION: That Council accept the work completed by Foothill Electric Company (Foothill), Contract No. 20,367, for the Sheffield Pump Station Variable Frequency Drive Project, Bid No. 3304, located at 2375 Foothill Road, in the final contract amount of \$64,838, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (June 18, 2002, Public Works Director's report).

5. SUBJECT: INCREASE PURCHASE ORDERS FOR CONTRACT BUILDING PLAN CHECK (640.04)

RECOMMENDATION: That Council authorize the General Services Manager to increase Purchase Order #362383 and #363122, to D&J Engineering and EsGil Corporation respectively, by \$12,500 each, for continued plan check services.

ACTION: Approved the recommendation (June 18, 2002, Community Development Director's report).

6. SUBJECT: BUDGET APPROPRIATIONS FOR REIMBURSED FUNDS (570.03)

RECOMMENDATION: That Council increase appropriations and estimated revenue by a total of \$41,414 in the Waterfront Fund for common area maintenance costs, reimbursed by Waterfront Center tenants, and for parking expenses, reimbursed by Signature Parking Company, through June 2002.

ACTION: Approved the recommendation (June 18, 2002, Waterfront Director's report).

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

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Hot Line Construction, a California Corporation, for 27,456 square feet of fenced land at 451 Frederic Lopez Road, at the Santa Barbara Airport, commencing May 1, 2002, for a total monthly rental of \$3,844 exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,665 (June 18, 2002, Airport Director's report).

8. SUBJECT: ANNEXATION OF ST. VINCENT'S PROPERTY (680.04)

RECOMMENDATION: That Council:

- A. Consider the Planning Commission's recommendation to consent to the requested Sphere of Influence amendment and annexation;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 of the Municipal Code Pertaining to Zoning Upon Annexation of Assessor Parcel Numbers 059-240-020, -021, and -022, Located at 4200 Calle Real and 193 Verano Drive (introduced on June 11, 2002); and

(Cont'd)

8. (Cont'd)

- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Property Located at 4200 Calle Real and 193 Verano Drive, Assessor Parcel Numbers 059-240-020, -021, -and -022, Which Will Be Annexed to the City of Santa Barbara.

ACTION: Approved the recommendations; Ordinance No. 5242; Resolution No. 02-070 (June 18, 2002, Community Development Director's report).

9. SUBJECT: ADOPTION OF WATER BOND COALITION RESOLUTION (540.10)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting Passage of the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of the 2002 Bond Initiative and the Formation of the Northern and Coastal California Water Bond Initiative Coalition of Counties to Support Legislation to Allocate Funding from Future Water Bond Initiatives for Local Projects; and
- B. Authorize the Mayor to send letters to and, as needed, contact legislators, the League of California Cities, and other appropriate parties to convey the City's position.

ACTION: Approved the recommendations; Resolution No. 02-071 (June 18, 2002, Public Works Director's report).

10. SUBJECT: LEGISLATIVE REPORT (160.02)

RECOMMENDATION: That Council:

- A. SUPPORT AB 1891 (Diaz), which would require the Department of Housing and Community Development to establish a program to make matching grants to local agencies or nonprofit entities that have housing trust funds in order to provide financing for rental housing projects affordable to very low income families;
- B. SUPPORT AB 1561 (Kelley), which would require that the State Energy Resources Conservation and Development Commission amend energy efficiency standards applicable to residential clothes washers manufactured on or after January 1, 2007, to require a 9.5 water use efficiency;

(Cont'd)

10. (Cont'd)

- C. SUPPORT SB 1480 (Speier), which would revise or extend several provisions of the Outdoor Advertising Act, including those relating to billboard permit procedures and fees, local regulation and penalties for the failure to remove certain nonconforming advertising displays, to strengthen the ability of local government to enforce zoning ordinances governing advertising displays;
- D. SUPPORT SB 1688 (Magrett), which would establish a Supplemental Firefighting Services Fund (SFSF) in each county treasury and require that money from this fund be allocated to local agencies for specified front line fire service activities when funding is provided in the annual Budget Act;
- E. SUPPORT SB 1279 (Murray), which would enact the California Antiterrorism Safety Bond Act of 2002;
- F. SUPPORT AB 1914 (Havice), which would require a local permit granting authority to notify the local law enforcement agency when it is considering granting a permit for a rave party, and require the promoter to present evidence that the promoter is sufficiently knowledgeable about illegal drugs and drug paraphernalia to recognize their presence at the event;
- G. SUPPORT AB 2018 (Nakano), which would establish the Public Safety Communication Advisory Board with responsibility for developing and implementing a statewide integrated public safety communication system that facilitates interoperability and other shared uses of the public safety spectrum;
- H. SUPPORT ACA 11 (Richman), which would establish the California Twenty-First Century Infrastructure Investment Fund in the State Treasury, and generally require that the funds be allocated for transportation projects, education projects, park projects or projects preserving or restoring natural resources, and water projects, with 50% available for local projects; and
- I. Authorize the Mayor to send letters to and, as needed, contact legislators, the League of California Cities, and other appropriate parties to convey the City's position.

ACTION: Approved the recommendations (June 18, 2002, City Administrator's report).

NOTICES

- 11. The City Clerk has on Friday, June 14, 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.

12. The City Council will conduct a site visit on Monday, June 24, 2002, at 1:30 p.m. to the property located at 2130 Mission Ridge Road, which is the subject of an appeal hearing set for June 25, 2002, at 6:00 p.m.
13. Cancellation of the regular City Council meeting of July 9, 2002, due to lack of a quorum.

This concluded the Consent Calendar.

RECESS

2:10 p.m. - 2:12 p.m., during which time the first portion of the Redevelopment Agency meeting was held.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION

The City Council and the Redevelopment Agency convened in joint session at 2:12 p.m.

14. SUBJECT: 818 GARDEN STREET – GRANTS TO LAGUNA COTTAGES FOR SENIORS, FOR NEW AFFORDABLE HOUSING (660.04)

RECOMMENDATION:

- A. That Council approve a \$240,000 grant of Home Investment Partnerships Program funds to Laguna Cottages for Seniors for the construction of new affordable housing at 818 Garden Street and authorize the City Administrator to execute grant agreements and other related documents in a form approved by the City Attorney; and
- B. That the Redevelopment Agency Board approve a \$567,000 grant of housing setaside funds to Laguna Cottages for Seniors for the construction of new affordable housing at 818 Garden Street and authorize the Executive Director to execute the grant agreement and other related documents in a form approved by Agency Counsel.

DOCUMENTS:

June 18, 2002, report from the Community Development Director/Deputy Director.

SPEAKERS:

- Staff: Housing Programs Supervisor Steven Faulstich, Housing and Redevelopment Manager David Gustafson.
- Members of the Public: Lorraine Hayes, Idahlia Morales, Gail Kay, Ann Ross, Ken Trimble.

(Cont'd)

14. (Cont'd)

MOTION:

Council/Agency members Falcone/Secord to approve the recommendations; City Council Agreement No. 20,666; Redevelopment Agency Agreement No. 393.

VOTE:

Unanimous voice vote (Absent: Mayor/Chairperson Blum).

The City Council and Redevelopment Agency joint session concluded at 2:25 p.m. The Redevelopment Agency meeting was adjourned at 2:25 p.m. The Council meeting remained in session.

ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

15. SUBJECT: FISCAL YEAR 2003 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council provide staff with final directions and decisions on the fiscal year 2003 recommended budget.

DOCUMENTS:

June 18, 2002, Finance Director's report.

SPEAKERS:

Staff: Finance Director Robert Peirson, Assistant Community Development Director Paul Casey, Public Works Administrative Officer Bill McTomney, City Administrator James Armstrong.

MOTION:

Councilmembers Horton/Falcone to accept proposed General Fund deleted Changes in Service, as shown on Attachment 3 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Horton/Secord to transfer \$650,000 in Utility Users' Tax revenue collected by the Water Fund to the General Fund.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

(Cont'd)

15. (Cont'd)

MOTION:

Councilmembers Secord/Horton to accept proposed across-the-board General Fund departmental adjustments detailed on Attachment 4 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Secord/Horton to approve adjustments to the General Fund budget resulting from new funding requests, as shown on Attachment 5 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Horton/Secord to accept the proposed reduction in the Streets Capital Program outlined on Attachment 6 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Secord/Horton to establish a separate Solid Waste Fund and transfer appropriations and related revenues to this fund, resulting in a net reduction in General Fund expenditures of \$22,000.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Horton/Secord to accept proposed adjustments to Special Revenue and Enterprise Funds, detailed on Attachment 7 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Secord/Falcone to approve recommended changes to Fee Resolutions, outlined on Attachment 8 to the June 18, 2002, Council Agenda Report.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

(Cont'd)

15. (Cont'd)

MOTION:

Councilmembers Horton/Secord to accept proposed Capital Program adjustments for the General Fund (shown on Attachment 9 to the June 18, 2002, Council Agenda Report) and for Special and Enterprise Funds (Attachment 10 to June 18, 2002, Council Agenda Report).

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Falcone/Secord to approve supplemental adjustments (shown on Attachment 11 to the June 18, 2002, Council Agenda Report) to the Recommended Budget since its filing on April 8, 2002.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

MOTION:

Councilmembers Hart/Secord to defer decision on funding requests from outside organizations (Attachment 12 to June 18, 2002, Council Agenda Report), as well as funding for the Historic Resources Survey, Westside Bike Patrol and Downtown Host Program, pending the State's resolution of its budget deficit.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

DISCUSSION:

Staff will return to Council next week with the resolutions required to adopt the budget for Fiscal Year 2003.

COMMUNITY DEVELOPMENT DEPARTMENT

16. SUBJECT: 320 SOUTH SALINAS STREET – LOAN TO TRANSITION HOUSE FOR NEW AFFORDABLE HOUSING (660.04)

RECOMMENDATION: That Council approve a loan of \$480,000 in Home Investment Partnerships Program funds to Transition House for the construction of new affordable housing at 320 South Salinas Street, and authorize the City Administrator to execute a loan agreement, subordination agreements, and other related documents in a form approved by the City Attorney.

DOCUMENTS:

June 18, 2002, Community Development Director's report.

(Cont'd)

16. (Cont'd)

SPEAKERS:

Staff: Project Planner Simon Kiefer.

MOTION:

Councilmembers Horton/Folayemi to approve the recommendation;
Agreement No. 20,667.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

RECESS

3:20 p.m. - 3:32 p.m.

ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

CITY ADMINISTRATOR

18. SUBJECT: UPDATE ON PROPOSED TOBACCO RETAILER LICENSE (800.07)

RECOMMENDATION: That Council receive a verbal status report on pending state legislation that establishes a statewide licensing program for tobacco retailers, manufacturers, distributors, and wholesalers (SB 1700, SB 1701, and SB 1702) and the City's proposed tobacco retailer license ordinance.

(To be considered with Item No. 19)

DOCUMENTS:

June 18, 2002, City Administrator's report.

SPEAKERS:

Staff: Administrative Analyst Nina Johnson.

By consensus, the Council received the report.

ORDINANCES FOR INTRODUCTION

19. SUBJECT: UPDATE TO SMOKING ORDINANCE (800.07)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 9.20 of the Santa Barbara Municipal Code Pertaining to the Prohibition of Smoking in Certain Public Areas.

(To be considered with Item No. 18)

(Cont'd)

19. (Cont'd)

DOCUMENTS:

- June 18, 2002, City Administrator's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

- Staff: Administrative Analyst Nina Johnson, Police Officer Charles McChesney.
- Members of the Public: Sherri Folk; Dawn Manolakos; Bob Stout, Old Town Bar and Restaurant Committee; Julix Foster; Craig Jenkins; Glenn Fichera; Dawn Dunn; Julie Bifano; Donna Pearson-Beal; Todd Smith; Ingrid Anderson-Smith; Sharon Bifano.

MOTION:

Councilmembers Fodayemi/Hart to approve the recommendation.

VOTE:

Majority voice vote (Noes: Councilmember Secord, Mayor Pro Tempore Fairly; Absent: Mayor Blum).

MAYOR AND COUNCIL MATTERS

17. SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)

RECOMMENDATION: That Council:

- A. Hold interviews of applicants to various City Advisory Groups at an estimated time of 4:00 p.m.; and
- B. Continue interviews of applicants to 6:00 p.m.
(Estimated Time: 4:00 p.m.)

DOCUMENTS:

June 18, 2002, Assistant City Administrator's report.

SPEAKERS:

- Staff: Senior Deputy City Clerk Roxanne Fiorillo.
- The following applicants were interviewed:
Civil Service Commission:
Ann K. Levine
Euell Ryles
Franklin Center Advisory Committee:
Euell Ryles

(Cont'd)

17. (Cont'd)

SPEAKERS (Cont'd)

Housing Authority Commission:

Euell Ryles

Mark Livanec

Norma Escárcega

Park and Recreation Commission:

Esther H. Baum

Michael Magne

Park Commission:

John Stedman

Recreation Commission:

Esther H. Baum

John Stedman

By consensus, the Council approved recommendation B to continue the interviews to 6:00 p.m.

PUBLIC HEARINGS

20. SUBJECT: CABLE FRANCHISE AMENDMENT ORDINANCE (510.04)

RECOMMENDATION: That Council:

- A. Continue the Public Hearing on the proposed cable services franchise amendment from June 11, 2002, and subsequently close the Public Hearing; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the November 1997 Cable Services Franchise with CoxCom, Inc., A Delaware Corporation.

DOCUMENTS:

- June 18, 2002, Deputy City Administrator's report.
- Proposed Ordinance.

The title of the ordinance was read.

PUBLIC HEARING OPENED (continued from June 11, 2002):

5:06 p.m.

SPEAKERS:

Staff: Administrative Analyst Kristine Schmidt.

PUBLIC HEARING CLOSED:

5:11 p.m.

(Cont'd)

20. (Cont'd)

MOTION:

Councilmembers Falcone/Horton to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

RECESS

5:12 p.m. - 6:03 p.m.

Mayor Pro Tempore Fairly presiding.

Councilmembers present: Falcone, Folayemi, Hart, Horton, Mayor Pro Tempore Fairly.

Councilmembers absent: Secord, Mayor Blum.

Staff present: City Administrator/Clerk Armstrong, Assistant City Attorney Stephen P. Wiley, Deputy City Clerk Tschech.

PUBLIC COMMENT

SPEAKERS: Tom Becker.

MAYOR AND COUNCIL MATTERS

21. **SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)**
(Continued from afternoon session; see Item No. 17)

SPEAKERS:

- Staff: Senior Deputy City Clerk Roxanne Fiorillo.
- The following applicants were interviewed:
 - Civil Service Commission:
 - William B. Simms
 - Franklin Center Advisory Committee:
 - Marjorie Gae Brandon
 - Maurya Murphy
 - Housing Authority Commission:
 - William B. Simms
 - Catherine Y. Woodford
 - Juliette Cummins Sponsel
 - Park Commission:
 - Paul Lamberton
 - Rental Housing Mediation Task Force:
 - Carrie F. Chong

Mayor Pro Tempore Fairly stated that appointments to the advisory group openings are scheduled for June 25, 2002.

ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

COMMUNITY DEVELOPMENT DEPARTMENT

22. SUBJECT: PENDING LOCAL COASTAL PLAN AMENDMENT RELATED TO THE WATERFRONT AREA HOTEL AND RELATED COMMERCE ZONES (650.04)

RECOMMENDATION: That Council direct Staff to work with California Coastal Commission Staff to identify revisions to the City's Local Coastal Plan (LCP) Amendment application to make it more consistent with Coastal Act priorities.

DOCUMENTS:

- June 18, 2002, Community Development Director's report.
- June 18, 2002, letters from Joseph Di Bartolomeo; Citizens Planning Association of Santa Barbara County.
- Statement by the League of Women Voters of Santa Barbara, dated June 18, 2002, and read by Connie Hannah.

SPEAKERS:

- Staff: Project Planner Liz Limón, City Planner Bettie Hennon.
- Planning Commission: Commissioner Grant House.
- Members of the Public: Connie Hannah, League of Women Voters of Santa Barbara; Tim Werner, East Beach Coalition; Mark Kirkhart; Richard Monk; David Tabor; Tom Becker; Rob Rossi.

DISCUSSION:

By consensus, the Council approved the recommendation. It was agreed that Mayor Blum and Councilmember Falcone would attend the Coastal Commission hearing to represent the City's position on this Local Coastal Plan Amendment application.

ADJOURNMENT

Mayor Pro Tempore Fairly adjourned the meeting at 7:52 p.m., to Monday, June 24, 2002, at 1:30 p.m. for a site visit to 2130 Mission Ridge Road.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

H. P. FAIRLY
MAYOR PRO TEMPORE

ATTEST: _____
SUSAN TSCHECH
DEPUTY CITY CLERK