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Subject
Reference

CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
April 25, 2000
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 12:30 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 2:01 p.m.), Tom Roberts, Dan B. Secord, Mayor Miller.
Councilmembers absent: None.
Staff present: City Administrator/Clerk Sandra Tripp-Jones, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS:

To Honor and Give Thanks

Mayor Miller thanked City secretarial employees in recognition of Professional Secretaries Day, April 26, 2000.
120.04

Proclamations

1. Issuance by the Mayor of a proclamation declaring the week of April 24 30, 2000 as National Community Development Week.

Proclamation presented to Community Development and Human Services Committee Chair Barbara Tzur, La Casa De La Raza Executive Director Hilda Zacarias, and Noah's

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Anchorage Executive Director Carol Nickell.

120.04

PUBLIC COMMENT:

2. Any member of the public may address the City Council for up to one 1) minute on any subject matter within the jurisdiction of the City Council that is not scheduled before them that same day. The total time for public comment is fifteen 15) minutes. If you wish to address the City Council under this item, please complete and deliver to the City Administrator/City Clerk before the afternoon session is convened, a Request to Speak" form including a description of the subject you wish to address.

Bruce Rittenhouse spoke.

180.03

CONSENT CALENDAR Item Nos. 3 5 and 7 12):

MOTION:

M/S Secord/Garcia to approve the Consent Calendar, as follows:

VOTE:

Unanimous voice vote All present).

3. Minutes of the special meetings of April 10 and 11, 2000, and the regular meeting of April 11, 2000. Dispense with

reading and approve.

Approved.

- 4. Recommendation that Council:
 - A. Approve the proposed reorganization of the Finance Department; and
 - B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 99-050, the Position and Salary Control Resolution for Fiscal Year 1999-2000, Affecting the Finance Department Effective May 6, 2000.

Concurred with recommendations; adopted Resolution No. 00-031 April 21, 2000 City Administrator's report).

210.01
x

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410.06

- 5. Recommendation that Council create the following General Fund reserve designations from the funds recovered in the Orange County Investment Pool settlements:
 - A. Designate \$500,000 as a Reserve for Annexation Costs";
 - B. Designate \$200,000 as a Reserve for Clean Water Grant Matching Funds";
 - C. Designate \$100,000 as a Reserve for Records Management"; and
 - D. Designate \$124,022 as a Reserve for General Fund Capital Project Cost Increases."

Concurred with recommendations April 21, 2000 City Administrator's report).

270.02
x
260.04

7. Recommendation that Council accept the work completed by Tierra Contracting, Incorporated (Tierra), Contract No. 19,766, for the Rincon Vista Road and Garden Street Water System Improvement Project, Bid No. 3253, in the final contract amount of \$237,059.24, including approved changes, and approve filing of a Notice of Completion.

Accepted; Notice of Completion ordered filed April 21, 2000 (City Administrator's report).

540.06
Water Mains

8. Recommendation that Council take the following action regarding legislative matters:
- A. OPPOSE AB 2492 (Kuehl) which would require the State Water Resources Control Board to establish a standardized water monitoring program for municipalities and industries;
 - B. OPPOSE AB 2043 (Maddox) which would add meningitis" to the list of presumptive injuries that are compensable under workers' compensation for police officers and firefighters and reduce the amount of time for an employer to deny claims for all presumptive injuries;
 - C. OPPOSE AB 2156 (Pescetti) which would prohibit a public entity from compromising or otherwise settling any third party claim without first giving the contractor

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- notice of the claim and a minimum of 90 days in which to resolve the claim directly with the third party;
- D. OPPOSE AB 2651 (Margett) which would allow a public utility, by re-entering their easement under an encroachment permit, to shift the costs for future utilities relocation to local governments;
 - E. OPPOSE AB 2182 (Mazzoni) which would authorize a public entity to include alternatives that may be added to or

- deleted from the final bid award for a project and specify how those alternatives shall be considered in determining who is the lowest responsible bidder;
- F. OPPOSE AB 2750 Baugh) which would require any public works contract in excess of \$50,000 to comply with specified competitive bidding requirements, if there are no other competitive bidding procedures that apply, and to be completed without the public entity's own forces;
 - G. SUPPORT SB 1956 Polanco) which would authorize a local government to adopt standards more restrictive than certain federal regulations or general waste discharge requirements for the discharge of dewatered, treated, or chemically fixed sewage sludge or other biological solids;
 - H. OPPOSE S. 2255 McCain) which would extend the current moratorium on taxing Internet sales from January 1, 2002, as provided in the Internet Tax Freedom Act, through calendar year 2006; and
 - I. 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.

SPEAKERS:

Staff: Water Resources Manager Bob Roebuck.

Concurred with recommendations April 21, 2000 City Administrator's report).

160.02
 State
 X
 160.02
 Federal

Set a date for public hearing:

9. Recommendation that Council:

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- A. Cancel the public hearing scheduled for May 2, 2000 at 2:00 p.m. on the appeal filed by Douglas E. Fell, Esq., Agent for 100 Carrillo Street Investors, L.P. (property owner), of the Planning Commission recommendation to deny a Request to Amend Development Agreement No. 15,270 pertaining to property located at 100 W. Carrillo Street; and
- B. Reschedule this appeal hearing for June 6, 2000 at 2:00 p.m.

Concurred with recommendations April 13, 2000 letter from Appellant).

640.07
Planning commission

The following notices were presented and ordered filed:

- 10. that the City Clerk has on Friday, April 21, 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 outside balcony of City Hall.

- 11. of Special Finance Committee meeting, April 25, 2000 at 12:30 p.m. in Room 15 for consideration of:

- A. Investment Management Review;
- B. Fiscal Year 2000 Interim Financial Statements for the Nine Months Ended March 31, 2000;
- C. First Night Request; and
- D. Fiscal Year 2001 Recommended Operating and Capital Budget.

120.03
Finance Committee

- 12. that the regular City Council meeting of April 18, 2000 was adjourned to Monday, April 24, 2000 at 1:30 p.m. for site visits to haul sites for commercial recyclables located at 701 Botello Road, 4430 Calle Real and 620 Quinientos Street.

630.01
Administration

This completed the Consent Calendar.

ITEM REMOVED FROM CONSENT CALENDAR:

- 6. Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara

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Accepting Grant Funds from the Coastal Resources Grant
Program Under Section 35030/35031 of the Public Resources
Code for the Shoreline Drive Park Expansion Project.

5330.04
Bikeway Const., Maint & Repair
X
570.05
Parks, R-U

DOCUMENTS:

April 21, 2000 City Administrator's report.

READING WAIVED:

Following reading of the agenda item, including the
title of the resolution, further reading was waived by
unanimous consent of Council.

MOTION:

M/S Garcia/Roberts to adopt Resolution No. 00-032.

VOTE:

Approved by roll call vote Ayes: Blum, Fairly,
Garcia, Hart, Roberts; Noes: Secord, Mayor Miller).

REPORT FROM FINANCE COMMITTEE:

13. Report from the Finance Committee.

Finance Committee Chair Dan Secord reported that the
Committee had considered the First Quarter 2000 Investment
Management Review and the Interim Financial Statements for
the Nine Months Ended March 31, 2000. He suggested that
Council take action on these matters at this time Agenda
Item Nos. 14 and 15).

ADMINISTRATIVE REPORTS:

Finance Department

14. Recommendation that Council receive and accept the first
quarter 2000 Investment Management Review from Public
Financial Management, Inc. (PFM).

DOCUMENTS:

April 21, 2000 City Administrator's report, including
the First Quarter 2000 Investment Management Review.

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SPEAKERS:

Public Financial Management, Inc.: Managing Director
Nancy Jones.
Staff: Revenue/Investment Manager Cynthia Odell.

MOTION:

M/S Secord/Roberts to accept the report.

VOTE:

Unanimous voice vote All present).

260.02

15. Recommendation that Council accept the Fiscal Year 2000
Interim Financial Statements for the nine months ended March
31, 2000.

DOCUMENTS:

April 21, 2000 City Administrator's report, including
the Interim Financial Statements for the Nine Months
Ended March 31, 2000.

SPEAKERS:

Staff: Accounting Manager Betsy Wells.

MOTION:

M/S Secord/Roberts to accept the Statements.

VOTE:

Unanimous voice vote All present).

250.02

MAYOR AND COUNCIL MATTERS:

21. Recommendation that Council hold an interview and consider appointment of the applicant for the Park and Recreation Commission representative vacancy on the Douglas Family Preserve Advisory Committee. Continued from April 18, 2000)

DOCUMENTS:

April 14, 2000 City Administrator's report.

SPEAKERS:

Staff: Chief Deputy City Clerk Mabi Covarrubias Plisky.
Applicant: Jessica Kinnahan.

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MOTION:

M/S Roberts/Secord to appoint Jessica Kinnahan as the Park and Recreation Commission representative on the Douglas Family Preserve Advisory Committee for a term expiring December 31, 2000.

VOTE:

Unanimous voice vote All present).

140.05

X

570.05

Douglas Family Preserve
Adv. Comm.

ADMINISTRATIVE REPORTS:

Community Development Department

16. Recommendation that Council receive a presentation on the status of the Creek Strategic Plan.

DOCUMENTS:

April 21, 2000 City Administrator's report.

Copies of computerized overheads used in the Staff presentation.

SPEAKERS:

Staff: Assistant to the Community Development Director Paul Casey, Regional Planner Jill Zachary, Assistant Park Planner Allyson Biskner.

Consultant to the City: Dr. John Gray, URS Greiner Woodward Clyde.

Member of the Public: Stephanie Langsdorf, Growing Solutions.

By consensus, the Council received the presentation.

540.14

Councilmember Hart stated he would not vote on the following matter due to a conflict of interest and left the meeting at 3:17 p.m.

17. Recommendation that Council make a finding that the conversion of 832 square feet of residential floor area to commercial childcare use meets a present need directly related to public health, safety or general welfare and grant the project located at 509 West Los Olivos Street a

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Final Community Priority Designation.

DOCUMENTS:

April 21, 2000 City Administrator's report.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones.

MOTION:

M/S Garcia/Secord to concur with the recommendation.

VOTE:

Unanimous voice vote Absent: Hart).

Councilmember Hart returned to the meeting at 3:19 p.m.

Fire Department

18. Recommendation that Council:

- A. Hold a public hearing to receive and consider comments on the Honda Valley Vegetative Fuels Management Project;
- B. Find that the City Council has read and considered the Mitigated Negative Declaration ENV99-00125) the MND") for the Honda Valley Vegetative Fuels Management Project and that the MND is adequate and has been completed in compliance with the California Environmental Quality Act CEQA) and that, in the Council's independent judgment, there is no substantial evidence that the Project will have a significant effect on the environment; and adopting the Project Mitigated Negative Declaration ENV99-00125) pursuant to Section 15074 of the State CEQA Guidelines; and
- C. Adopt the Honda Valley Vegetative Fuels Management Project as a component of the Five Year Vegetative Fuels Management Plan.

DOCUMENTS:

April 21, 2000 City Administrator's report, including the Final Mitigated Negative Declaration ENV99-00125).

PUBLIC HEARING OPENED:

3:20 p.m.

SPEAKERS:

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Staff: Fire Chief Warner McGrew, Wildland Interface Specialist Ann Marx, Project Planner Debra Andaloro.

PUBLIC HEARING CLOSED:
3:38 p.m.

The Council was polled regarding recommendation B. All Councilmembers present stated they had read and considered the referenced document.

MOTION:

M/S Secord/Roberts to concur with the recommendations.

VOTE:

Unanimous voice vote All present).

520.03
Weed Abatement
X
570.05
Parks, E-H

Public Works Department

19. Recommendation that Council authorize Staffthe City Administrator to prepare and submit an application to pursue Safe Routes to School Funding for the construction of as many missing sidewalk links on school routes as possible for approximately \$500,000.

DOCUMENTS:

April 21, 2000 City Administrator's report.
Copy of PowerPoint presentation used by Staff.

SPEAKERS:

Staff: Mobility Coordinator Drusilla van Hengel; City Administrator Sandra Tripp-Jones, who suggested that the recommendation be revised as shown.

MOTION:

M/S Secord/Garcia to concur with the recommendation as amended.

VOTE:

Unanimous voice vote All present).

530.04
Sidewalk Const., Maint. & Repair

REQUESTS FROM THE PUBLIC:

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20. Request from SPARKLE for supplemental City funding of the annual Fourth of July fireworks display.
Staff recommendation that Council:
- A. Hear a request from SPARKLE for \$24,950 of supplemental funding in the current fiscal year for the July 4, 2000 community fireworks display;
 - B. Approve the supplemental funding request from SPARKLE; and
 - C. Allocate \$24,950 from the Fiscal Year 2000 Community Promotion Reserve for 4th of July activities to SPARKLE.

DOCUMENTS:

April 7, 2000 letter from SPARKLE.
April 21, 2000 City Administrator's report.

SPEAKERS:

SPARKLE: President Carol Mineau.
Staff: City Administrator Sandra Tripp-Jones.

MOTION:

M/S Roberts/Hart to concur with the Staff recommendations.

VOTE:

Unanimous voice vote All present).

520.04
Special Events

ORDINANCES FOR INTRODUCTION: Public comment will be taken at the time ordinance is considered for adoption)

22. Recommendation that Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Sections 28.83.187 and 28.83.197, and Repealing Sections 28.83.207 and 28.83.217 Pertaining to Montecito Street Setbacks.

DOCUMENTS:

April 21, 2000 City Administrator's report.
Proposed Ordinance.

READING WAIVED:

Following reading of the agenda item, including the

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title of the ordinance, further reading was waived by
unanimous consent of Council.

MOTION:

M/S Garcia/Roberts to introduce the ordinance as Bill
No. 5174.

VOTE:

Unanimous voice vote All present).

640.09

Zoning Ord. Amendments

ORDINANCES FOR ADOPTION: Public comment will be taken)

23. Recommendation that Council adopt, by reading of title only,
An Ordinance of the Council of the City of Santa Barbara to
Approve and Authorize the City Administrator to Execute the
Master Agreement, Administering Agency-State Agreement for
State Funded Projects, No. 05-000008, with the California
Department of Transportation. Introduced on April 18, 2000
as Bill No. 5172)

DOCUMENTS:

Previous documents submitted April 18, 2000.

READING WAIVED:

Following reading of the agenda item, including the
title of the ordinance, further reading was waived by
unanimous consent of Council.

MOTION:

M/S Roberts/Secord to adopt Ordinance No. 5151.

VOTE:

Unanimous roll call vote All present).

530.04

Street Construction

X

24. Recommendation that Council:

- A. Review and approve the proposed changes to Municipal Code Section 17.12.120 pertaining to access and use of public areas within the Santa Barbara Harbor see Council Agenda Report for Item No. 25, April 18, 2000); and
- B. Adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Section 17.12.120

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of Chapter 17.12 of the Santa Barbara Municipal Code Concerning Access and Use of Public Areas Within the Santa Barbara Harbor introduced on April 18, 2000 as Bill No. 5173).

DOCUMENTS:

Previous documents submitted April 18, 2000.
Proposed Ordinance.

SPEAKERS:

Staff: Waterfront Director John Bridley, Harbor Patrol Supervisor Mike Hatton.

READING WAIVED:

Following reading of the agenda item, including the title of the ordinance, further reading was waived by unanimous consent of Council.

MOTION:

M/S Secord/Roberts to concur with the recommendations and adopt Ordinance No. 5152.

VOTE:

Unanimous roll call vote All present).

PUBLIC HEARINGS:

25. Recommendation that Council:

- A. Open the public hearing on the Fiscal Year 2001 Recommended Operating and Capital Budget;
- B. Hear a presentation from staff on proposed fiscal year 2001 funding for the Clean Water and Creeks Restoration Programs; and
- C. Continue the public hearing to Tuesday, May 9, 2000 at 6:00 p.m.

DOCUMENTS:

April 21, 2000 City Administrator's report.

PUBLIC HEARING OPENED:

4:10 p.m.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario,
Water Supply Manager Steve Mack, City Administrator

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Sandra Tripp-Jones.

MOTION:

M/S Roberts/Garcia to concur with recommendation C.

VOTE:

Unanimous voice vote All present).

230.05
X
540.14

RECESS: 4:20 p.m. 4:25 p.m.

Councilmember Roberts was absent.

CLOSED SESSIONS:

26. CONFERENCE WITH LABOR NEGOTIATOR recommendation from the City Administrator that Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Joan Kent regarding negotiations with the Firefighters Association.

Scheduling: Duration, 25 minutes; anytime

DOCUMENTS:

April 21, 2000 City Administrator's report.

Closed Session held 4:25 p.m. 5:10 p.m.; all members present except Councilmember Roberts. At the beginning of the evening session, City Attorney Daniel Wallace announced that no reportable action was taken during the closed session.

440.05

RECESS: 5:10 p.m. 6:01 p.m.

Mayor Miller presiding.

Councilmembers present: Blum 6:06 p.m.), Fairly, Garcia, Hart, Roberts, Secord, Mayor Miller.

Councilmembers absent: None.

Staff present: City Administrator/Clerk Tripp-Jones, City Attorney Wallace, Deputy City Clerk Tschech.

The City Council reconvened in the Council Chamber. City Attorney Daniel Wallace made a report regarding the Closed Session, Item No. 26 see report under that item).

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TO HONOR AND GIVE THANKS:

Mayor Miller acknowledged the involvement of local youth in various programs and activities.

PUBLIC COMMENT:

27. Any member of the public who did not address the City Council during the 2:00 p.m. session may address the City Council for up to one 1) minute on any subject matter within the jurisdiction of the City Council that is not scheduled before them that same day. The total time for public comment is fifteen 15) minutes. If you wish to address the City Council under this item, please complete and deliver to the City Administrator/City Clerk before the evening session is convened, a Request to Speak" form including a description of the subject you wish to address.

Scott Wenz spoke.

180.03

WORK SESSIONS:

28. Recommendation that Council:
- A. Hold a work session regarding commercial recycling;
 - B. Hear presentations from City Staff, the Community Environmental Council (CEC), Progressive Waste Management (PWM) and Browning-Ferris Industries (BFI), regarding the status and ability of their sites to handle the City's flow of commercial recyclables; and
 - C. Direct Staff to return to Council with a final recommendation for approval of a haul site(s).

DOCUMENTS:

April 21, 2000 City Administrator's report.
Copy of presentation to have been made by the Community Environmental Council.
April 19, 2000 letter from Citizens Planning Association of Santa Barbara County.
April 24, 2000 letters from the Environmental Defense Center; Patricia Chamberlin.
April 25, 2000 letter from Donald Calamar.
Comments of three area residents made by telephone to the Mayor & Council Office.

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SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones,
Principal Civil Engineer Diane Gabriel.
Browning-Ferris Industries BFI): General Manager
Patrick De Rueda.
Progressive Waste Management: Owner Art Gonzalez.
Community Environmental Council: Board of Directors
President Kim Kimbell, Paul Relis, Executive Director
Laurence Laurent.

Representatives of BFI and of the recyclable haul sites
advised Council that a tentative agreement has been reached
for the hauling of the City's commercial recyclables to
various locations.

No action was taken on recommendation C.

630.01
Administration

ADJOURNMENT:

6:37 p.m., on order of Mayor Miller.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CHIEF DEPUTY CITY CLERK

HARRIET MILLER
MAYOR

ATTEST:
SUSAN TSCHECH
DEPUTY CITY CLERK