



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING August 17, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Ordinance Committee met at 12:30 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 Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

### CEREMONIAL ITEMS

1. SUBJECT: LETTER OF RECOGNITION HONORING EARL JOHNSON'S 46 YEARS OF SERVICE TO THE CITY (120.08)

ACTION: Letter of Recognition presented to Mr. Johnson.

### PUBLIC COMMENT

SPEAKERS: Harley Augustino and Tatzia Langlo.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Schneider reported on Westside area walkabouts being sponsored by the Westside Study Group and on a Mission Creek cleanup effort organized by the Parks and Recreation Department.
- Councilmember Barnwell commented upon projects of the Harbor Merchants Association to promote that area's businesses, and he also noted that the Farmers Market will be holding a tribute to Julia Childs.
- Mayor Blum reported on the recent opening of the new connection between Shoreline Park and Leadbetter Beach.
- Councilmember Williams mentioned his attendance, along with Councilmember Falcone, at a briefing on the status of the state's energy crisis.

Councilmember Barnwell left the meeting at 2:16 p.m.

### **CONSENT CALENDAR** (Item Nos. 2, 3, and 5)

#### **MOTION:**

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

#### **VOTE:**

Unanimous voice vote (Absent: Councilmember Barnwell).

#### **2. SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the adjourned regular meeting of August 2, 2004, and the regular meeting of August 3, 2004.

**ACTION:** Approved the recommendation.

#### **3. SUBJECT: CONTRACT FOR SAFETY AREA GRADING MITIGATION (560.04)**

**RECOMMENDATION:** That Council authorize the Airport Director to execute a contract with URS Corporation (URS) in an amount not to exceed \$80,435 for services associated with the Safety Area Grading project mitigation maintenance and monitoring, and authorize the Airport Director to approve expenditures up to \$8,043 for extra services that may result from necessary changes in the scope of work.

**ACTION:** Approved the recommendation; Contract No. 21,480 (August 17, 2004, Airport Director's report).

Agenda Item No. 4 appears in the Redevelopment Agency minutes.

## NOTICES

5. The City Clerk has on Thursday, August 12, 2004, 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.

This concluded the Consent Calendar.

## **ORDINANCE COMMITTEE REPORT**

6. SUBJECT: ORDINANCE COMMITTEE AGENDA, AUGUST 17, 2004, 12:30 P.M., IN THE COUNCIL CHAMBER FOR CONSIDERATION OF ORDINANCE AMENDMENTS PERTAINING TO BURGLARY AND ROBBERY ALARM SYSTEMS (120.03)

7. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Helene Schneider reported that the Committee reviewed and approved proposed ordinance amendments pertaining to burglary and robbery alarm systems. The amendments will be submitted to Council for introduction and subsequent adoption in the near future.

Councilmember Barnwell returned to the meeting at 2:17 p.m.

Agenda Item No. 8 appears in the Redevelopment Agency minutes.

## **REDEVELOPMENT AGENCY REPORTS**

9. SUBJECT: 2004 TAX ALLOCATION HOUSING BOND (620.05)

### RECOMMENDATION:

- A. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Financing of Certain Public Improvements for the Benefit of the Central City Redevelopment Project Area by the Redevelopment Agency of the City of Santa Barbara;
- B. That the Redevelopment Agency adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Authorizing and Directing the Sale of Not-To-Exceed \$8,500,000 Principal Amount of Redevelopment Agency of the City of Santa Barbara Central City Redevelopment Project Tax Allocation Housing Bonds, Series 2004A; Authorizing an Indenture, the Publication of Official Notice of Sale Relating Thereto; Approving the Preparation and Distribution of an Official Statement; Authorizing a Continuing Disclosure Agreement; Authorizing the Sale of Such Bonds on Certain Terms and Conditions; and Authorizing Certain Other Official Action in Connection Therewith;

(Cont'd)

9. (Cont'd)

- C. That the Redevelopment Agency Board authorize the Finance Director to negotiate and execute a contract with Kelling Northcross & Nobriga for financial advisory services in connection with the issuance of the 2004 Tax Allocation Housing Bonds, Series A, in an amount not to exceed \$47,000; and
- D. That the Redevelopment Agency Board authorize the Agency Counsel to negotiate and execute a contract with the law firm of Orrick Herrington & Sutcliffe for bond counsel and disclosure services in connection with the issuance of the Tax Allocation Housing Bonds, Series A, in an amount not to exceed \$80,000.

DOCUMENTS:

- August 17, 2004, report from the Community Development Director/Deputy Director.
- Proposed Resolutions.
- Proposed Trust Indenture and Preliminary Official Statement.
- Notice of Intention to Sell and Official Notice of Sale.
- August 9, 2004, Fiscal Consultant Report.

The titles of the resolutions were read.

SPEAKERS:

Staff: Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson, Finance Director/Fiscal Officer Robert Peirson.

MOTION:

Council/Agency members Horton/Secord to approve the recommendations, authorizing the following documents:

Recommendation A: City Council Resolution No. 04-068;

Recommendation B: Redevelopment Agency Resolution No. 988; Redevelopment Agency Agreement Nos. 433 (Trust Indenture), 434 (Preliminary Official Statement), and 435 (Continuing Disclosure Agreement);

Recommendation C: Redevelopment Agency Contract No. 436; and

Recommendation D: Redevelopment Agency Contract No. 437.

VOTE:

Unanimous roll call vote.

## MAYOR AND COUNCIL REPORTS

### 10. SUBJECT: STREET SWEEPING (530.04)

RECOMMENDATION: That the Council consider a request by Councilmember Williams to place various issues related to street sweeping on a future City Council agenda.

#### DOCUMENTS:

- August 17, 2004, City Administrator's report.
- August 16, 2004, letter from Sandy and Dick Moss.

#### SPEAKERS:

- Members of the Public: Harvey Barish, Eileen Barish, Sandy Moss, Abby Trelloggen.
- Staff: Transportation Manager Browning Allen.

#### MOTION:

Councilmember Williams to direct Staff to report to Council on 1) the progress of the street sweeping program in general, and 2) the feasibility of options 2, 3, and 4 as outlined in the attachment to the August 17, 2004, Council Agenda Report; this report is to be made before any change is made to the implementation of the City's street sweeping policy in the upper eastside neighborhood as a result of the forthcoming trial period.

The motion died for lack of a second.

### 11. SUBJECT: PENDING LEGISLATION AND STATE BALLOT MEASURES (160.02)

RECOMMENDATION: That Council:

- A. Support Senate Bill 1160, the Immigrant Responsibility and Security Act (Drivers' Licensing);
- B. Support Assembly Bill 50, the .50 Caliber Browning Machine Gun Rifle Control Act of 2003; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Support of Proposition 71, the California Stem Cell Research and Cures Initiative.

#### DOCUMENTS:

- August 17, 2004, City Administrator's report.
- Proposed Resolution.
- Remarks made by Toni Wellen on behalf of the Coalition Against Gun Violence.

(Cont'd)

11. (Cont'd)

The title of the resolution was read.

**SPEAKERS:**

- Staff: Special Projects Manager Don Olson, Police Chief Camarino Sanchez.
- Members of the Public: Dan Ancona, Santa Barbara County Democratic Central Committee; Ana Reza; Selma Rubin; Teresa Ibarra; Patricia Sandall; Jessica Lozano; Toni Wellen, Coalition Against Gun Violence.

**MOTION:**

Councilmembers Horton/Secord to support Senate Bill 1160.

**VOTE:**

Unanimous voice vote.

**MOTION:**

Councilmembers Horton/Barnwell to support Assembly Bill 50.

**VOTE:**

Unanimous voice vote.

**MOTION:**

Councilmembers Falcone/Barnwell to support Proposition 71; Resolution No. 04-069.

**VOTE:**

Unanimous roll call vote.

**RECESS**

3:33 p.m. – 3:44 p.m.

**MAYOR AND COUNCIL REPORTS**

12. SUBJECT: AMERICAN FLAGS AND SIGN ORDINANCE (640.02)

**RECOMMENDATION:** That Council hear a presentation by Councilmember Das Williams regarding the City's existing Sign Ordinance regulations for the display of American flags; and determine what action Council wishes to take.

**DOCUMENTS:**

August 17, 2004, Assistant City Administrator's report.

(Cont'd)

12. (Cont'd)

**SPEAKERS:**

- Staff: Senior Planner Danny Kato, City Attorney Stephen Wiley, Community Development Director Paul Casey.
- Sign Committee: Chair Loretta Redd.
- Members of the Public: Bill Stewart, Paul Lamberton, Louise Boucher, Peter Schenck.

**MOTION:**

Councilmembers Williams/Schneider to refer to the Sign and Ordinance Committees the review of a possible inconsistency in current regulations for the display of the American flag versus temporary holiday signs; this review is to take place concurrently with the discussion of other proposed Sign Ordinance amendments, at a time of Staff's discretion.

**VOTE:**

Failed to carry by voice vote (Ayes: Councilmembers Schneider, Williams; Noes: Councilmembers Barnwell, Falcone, Horton, Secord, Mayor Blum).

13. **SUBJECT: APPOINTMENT OF REPRESENTATIVE TO COUNTY ECONOMIC DEVELOPMENT ADVISORY BODY (650.11)**

**RECOMMENDATION:** That the Council appoint a Council representative to the Economic Development Advisory Body being formed by the County of Santa Barbara.

**DOCUMENTS:**

August 17, 2004, Community Development Director's report.

**MOTION:**

Councilmembers Barnwell/Falcone to appoint Councilmember Horton to represent the Council on this advisory body.

**VOTE:**

Unanimous voice vote.

**RECESS**

4:29 p.m. – 5:10 p.m.

## CLOSED SESSIONS

### 14. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

RECOMMENDATION: That Council hold a closed session to consider instructions to City staff and the City Attorney regarding real property located at the Airport and bounded by Hollister Avenue, Lopez Road, Botello Road and Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). Instructions to negotiator will direct staff to negotiate possible amendments to the terms of a 50-year ground lease option (pursuant to the authority of section 54956.8 of the Government Code) approved pursuant to a Disposition and Development Agreement approved by the City Council as City Agreement No. 19,872 on April 4, 2000. The allowed uses and rent terms are under negotiation. Negotiations will be conducted by City staff with Andrew Bermant representing the Bermant Development Company. City negotiators are: Karen Ramsdell, Airport Director; Robert Peirson, Finance Director; and Stephen P. Wiley, City Attorney.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

#### DOCUMENTS:

August 17, 2004, City Attorney's report.

#### TIME:

5:10 p.m. – 5:40 p.m.

No report made.

### 15. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)

RECOMMENDATION: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiators, Linda Jensen, Liebert Cassidy Whitmore, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Firefighters' Association, Police Officers' Association, General Employees' Bargaining Unit, Treatment and Patrol Bargaining Units, Hourly Employees' Bargaining Unit, and Supervisory Employees' Bargaining Unit.

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

#### DOCUMENTS:

August 17, 2004, Assistant City Administrator's report.

(Cont'd)

15. (Cont'd)

TIME:

5:40 p.m. – 6:20 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:20 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

\_\_\_\_\_  
MARTY BLUM  
MAYOR

\_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK