



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 25, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 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, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

SPEAKERS: Ken Saks, Janet Giley, Lazarus, and Ken Loch.

CONSENT CALENDAR (Item Nos. 1 – 15)

The title of the resolution related to the Consent Calendar was read.

MOTION:

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

VOTE:

Unanimous voice vote.

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meetings of January 7, February 4, and February 11, 2003.

ACTION: Approved the recommendation.

2. SUBJECT: RECORDS MANAGEMENT PROGRAM (160.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the City of Santa Barbara Records Management Policies and Procedures Manual.

SPEAKERS:

Staff: City Attorney Daniel Wallace.

ACTION: Approved the recommendation; Resolution No. 03-011 (February 25, 2003, Assistant City Administrator's report).

3. SUBJECT: PURCHASE ORDER FOR LEGAL SERVICES WITH MCCARTHY & KROES (160.01)

RECOMMENDATION: That Council authorize the General Services Manager to issue a purchase order to McCarthy & Kroes for legal services not to exceed \$40,000 to support the City Attorney's Office.

ACTION: Approved the recommendation (February 25, 2003, City Attorney's report).

4. SUBJECT: APPROPRIATION OF FUNDS FOR THE COUNCIL ON ALCOHOLISM AND DRUG ABUSE "KIDS FIGHT DRUGS" CALENDAR PROGRAM (520.04)

RECOMMENDATION: That Council appropriate \$8,000.00 from Asset Forfeiture Funds to pay to the Council on Alcoholism and Drug Abuse for the City of Santa Barbara's share of the expense for the "Kids Fight Drugs" Calendar Program for 2003.

ACTION: Approved the recommendation (February 25, 2003, Police Chief's report).

5. SUBJECT: SUBORDINATION REQUEST FOR 420 NORTH VOLUNTARIO STREET (660.04)

RECOMMENDATION: That Council authorize the City Administrator to execute an agreement in a form acceptable to the City Attorney that subordinates a 1981 City loan to a new first trust deed loan on the 13-unit affordable housing cooperative at 420 North Voluntario Street.

ACTION: Approved the recommendation; Agreement No. 20,897 (February 25, 2003, Community Development Director's report).

6. SUBJECT: CONTRACT FOR 2000-2003 SEWER MAIN IMPROVEMENT PROJECT (540.13)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction (Lash), in their low bid amount of \$1,557,525.85 for construction of the 2000-2003 Sewer Main Improvement Project, Bid No. 3312;
- B. Authorize the Public Works Director to approve expenditures up to \$155,753.00 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- C. Authorize the General Services Manager to issue a Purchase Order to Martyn Field Services (Martyn), in the amount of \$4,110.00 for material testing services, and authorize the Public Works Director to approve expenditures of up to \$410.00 for extra services of Martyn that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 20,898 (February 25, 2003, Public Works Director's report).

7. SUBJECT: CONTRACT FOR AIRPORT UTILITY MAPPING (560.01)

RECOMMENDATION: That Council authorize the Public Works Director to execute a professional services contract with Sage Consultants, Inc., in the amount of \$32,896 for utility mapping services, and authorize the Public Works Director to approve expenditures of up to \$3,200 for extra services of Sage Consultants, Inc., that may result from necessary changes in the scope of work.

ACTION: Approved the recommendation; Contract No. 20,899 (February 25, 2003, Public Works Director's report).

8. SUBJECT: APPROVAL OF PARCEL MAP AND EXECUTION OF AGREEMENTS FOR 1227 DE LA VINA STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,656 by Grant House, LLC, for a subdivision located at 1227 De La Vina, APN 039-171-007, finding the map in conformance with the General Plan and applicable specific plans of the City;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

ACTION: Approved the recommendations; Agreement Nos. 20,900 and 20,901 (February 25, 2003, Public Works Director's report).

9. SUBJECT: APPROVAL OF PARCEL MAP AND EXECUTION OF AGREEMENTS FOR 1133 EAST COTA STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,657 by Cota Street Project, LLC, a California Limited Liability Company, for property located at 1133 East Cota Street, APN 031-190-026, finding the map in conformance with the General Plan and applicable specific plans of the City;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

ACTION: Approved the recommendations; Agreement Nos. 20,902 and 20,903 (February 25, 2003, Public Works Director's report).

10. SUBJECT: NOTICE OF COMPLETION FOR THE SAN ANDRES STREET AND MICHELTORENA STREET IMPROVEMENTS (530.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 20,591, for the San Andres Street and Micheltorena Street Improvements, Bid No. 3330, located at the intersection of San Andres Street and Micheltorena Street, in the final contract amount of \$707,677.18, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (February 25, 2003, Public Works Director's report).

11. SUBJECT: NOTICE OF COMPLETION FOR SHORELINE PARK BEACH ACCESS STAIRWAY REPLACEMENT (570.05)

RECOMMENDATION: That Council accept the work completed by Timothy J. Ferrie, Contract No. 20,768, for the Shoreline Park Beach Access Stairway Replacement Project, Bid No. 3329, located at 1201 Shoreline Drive, in the final contract amount of \$188,872, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (February 25, 2003, Public Works Director's report).

12. SUBJECT: LEASE AGREEMENT WITH JOHN K. WILLIAMS, INC., D.B.A. GREAT PACIFIC ICE CREAM COMPANY (330.04)

RECOMMENDATION: That Council approve a 3½-year lease agreement with John K. Williams, Inc., doing business as Great Pacific Ice Cream Company at 219-A Stearns Wharf, at a rent of \$3,122 per month or 15% of gross sales, whichever is greater.

ACTION: Approved the recommendation; Agreement No. 20,904 (February 25, 2003, Waterfront Director's report).

13. SUBJECT: SET A DATE FOR PUBLIC HEARING

RECOMMENDATION: That Council:

- A. Set the date of March 25, 2003, at 6:00 p.m. for hearing the appeal filed by Alex Rasmussen, of the Architectural Board of Review preliminary approval of an application for property owned by Michael and Donna Silva, located at 3235 Campanil Drive, APN 047-104-011, E1 One-Family Residence Zone, General Plan Designation: Residential, 1 Unit per Acre. The project involves construction of a new two-story residence with a finished under-story and attached garage, including a swimming pool; and
- B. Set the date of March 24, 2003, at 1:30 p.m. for a site visit to the property located at 3235 Campanil Drive.

ACTION: Approved the recommendations.

NOTICES

14. The City Clerk has on Thursday, February 20, 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.
15. Cancellation of the regular City Council meeting of March 11, 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

16. SUBJECT: FINANCE COMMITTEE AGENDA, FEBRUARY 25, 2003, 1:00 P.M., IN ROOM 15 (120.03)
- A. January 31, 2003, Investment Report and December 31, 2002, Fiscal Agent Report (see Agenda Item No. 18); and
 - B. Fiscal Year 2003 Mid-Year Report (see Agenda Item No. 19).

17. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee received the January 31, 2003, Investment Report, the December 31, 2002, Fiscal Agent Report, and the Fiscal Year 2003 Mid Year Report, which will be presented to the Council at this time (Agenda Item Nos. 18 and 19).

18. SUBJECT: JANUARY 31, 2003, INVESTMENT REPORT AND DECEMBER 31, 2002, FISCAL AGENT REPORT (260.02)

RECOMMENDATION: That Council:

- A. Accept the January 31, 2003, Investment Report; and
- B. Accept the December 31, 2002, Fiscal Agent Report.

DOCUMENTS:

February 25, 2003, Finance Director's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendations.

VOTE:

Unanimous voice vote.

19. SUBJECT: FISCAL YEAR 2003 MID-YEAR REPORT (250.02)

RECOMMENDATION: That Council:

- A. Accept the Interim Financial Statements for the Six Months Ended December 31, 2002;
- B. Hear a report from staff on the status of fiscal year 2003 revenues and expenditures as of December 31, 2002; and
- C. Approve the adjustments to appropriations and estimated revenues as shown in the attached Summary of Recommended Mid-Year Adjustments.

(Cont'd)

19. (Cont'd)

DOCUMENTS:

February 25, 2003, Finance Director's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario; City Administrator James L. Armstrong.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations.

VOTE:

Unanimous voice vote.

ORDINANCE COMMITTEE

20. SUBJECT: ORDINANCE COMMITTEE AGENDA, FEBRUARY 25, 2003, 1:00 P.M., IN COUNCIL CHAMBER (120.03)

A. Amendments to the Alarm Ordinance; and

B Amendment to Setback Lines on Cliff Drive.

21. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee met to discuss proposed amendments to the Alarm Ordinance and directed staff to include a more defined program that may include graduated fines. The Committee also discussed an amendment to the ordinance for setback lines on Cliff Drive and approved it with a recommendation to Council that staff be directed to restrict development in the front yard setbacks in this area.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton reported on his attendance at meetings of the Italian Clubs, the Franklin Center Advisory Committee, and the California Preservation Conference Committee.
- Councilmember Fairly reported on his attendance at a meeting of the Cachuma Conservation Release Board.

RECESS

2:43 p.m. – 3:33 p.m., during which time the Redevelopment Agency meeting was completed.

City Administrator James L. Armstrong suggested that the Council meeting be adjourned and the following agenda items be continued to next week due to a tragedy within the City's family.

26. SUBJECT: LEGISLATION PROGRAM (160.02)

RECOMMENDATION: That Council:

- A. Adopt the proposed Legislative Platform;
- B. Authorize the Mayor to sign letter correspondence to state and federal representatives to promote the City's Legislative Platform;
- C. Appoint a Council Committee on Legislation to oversee, and participate in, other advocacy efforts, including meetings with state and federal elected representatives; and
- D. Direct staff to schedule briefing sessions with Assembly Member Hannah-Beth Jackson, State Senator Tom McClintock and Congresswoman Lois Capps to review the City's Legislative Platform.

27. SUBJECT: ACTION FOR BETTER CITIES – VOLUNTARY CONTRIBUTIONS (180.01)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Establishing a Voluntary Contribution Check-off Program for City Council Members and Employees; and
- B. Direct Staff to monitor the implementation of this program and report to Council annually as to the overall value and effectiveness of the program.

28. SUBJECT: LOWER MISSION CREEK FLOOD CONTROL PROJECT, LOCAL SPONSOR COST SHARING AGREEMENT FOR DESIGN (530.03)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute the Local Sponsor Cost Sharing Agreement for Design of the Lower Mission Creek Flood Control Project with the Santa Barbara County Flood Control and Water Conservation District (District) in an amount not to exceed \$132,625, contingent upon the District reaching an agreement for design with the United States Army Corps of Engineers.

29. SUBJECT: CAPITAL IMPROVEMENT PROJECTS SECOND QUARTER UPDATE FOR FISCAL YEAR 2002/2003 (230.01)

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

30. SUBJECT: AMENDMENT TO WATERFRONT FEE RESOLUTION 02-103
(570.03)

RECOMMENDATION: That Council:

- A. Hold a public hearing;
- B. Review a Waterfront Department Fee Resolution increasing the number of West Beach permits available for outrigger, dories, and small sailboats, changing the permit duration period for catamaran beach permits from nine months to eight months, and increasing the total number of permits to 65 annually; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Mooring, Slip and User Fees in the Santa Barbara Harbor Including Stearns Wharf, and Repealing Resolution No. 02-103.

Affidavit of Publication – Noticed for 2:00 p.m. Session

ADJOURNMENT

Mayor Blum adjourned the meeting at 3:34 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK