



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 29, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:00 p.m. The 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.

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Blum congratulated Councilmember Fairly for being inducted into the University of Denver's Athletic Hall of Fame.

Proclamation

1. SUBJECT: PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2002 AS THE 25TH ANNIVERSARY OF THE ENVIRONMENTAL DEFENSE CENTER (120.04)

ACTION: Proclamation presented to Brian Trautwein from the Environmental Defense Center.

PUBLIC COMMENT

SPEAKERS: Scott Wenz, Ken Loch, Steve Patchen, and Bob Hansen.

CONSENT CALENDAR (Item Nos. 2 – 15)

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

MOTION:

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

VOTE:

Unanimous voice vote.

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of October 15, 2002.

ACTION: Approved the recommendation.

3. SUBJECT: VACANCY ON THE BUILDING AND FIRE CODE BOARD OF APPEALS (640.03)

RECOMMENDATION: That Council declare a vacancy on the Building and Fire Code Board of Appeals due to the death of Larry W. Grantham.

ACTION: Approved the recommendation (October 17, 2002, e-mail communication from Bonnie Grantham).

4. SUBJECT: CITY ADVISORY GROUP RESIGNATION (570.03)

RECOMMENDATION: That Council accept the resignation of Terre Hawkins from the Harbor Commission.

ACTION: Approved the recommendation (October 22, 2002, letter of resignation).

5. SUBJECT: CITY ADVISORY GROUP RESIGNATION (580.03)

RECOMMENDATION: That Council accept the resignation of Lydia Aguirre from the Lower Westside Center Advisory Committee.

ACTION: Approved the recommendation (October 15, 2002, letter of resignation).

6. SUBJECT: CITY ADVISORY GROUP RESIGNATION (570.05)

RECOMMENDATION: That Council accept the resignation of David Gress from the Park Commission.

ACTION: Approved the recommendation (October 15, 2002, letter of resignation).

7. SUBJECT: CITY ADVISORY GROUP RESIGNATION (580.03)

RECOMMENDATION: That Council accept the resignation of Norma Ramirez from the Westside Center Advisory Committee.

ACTION: Approved the recommendation (October 10, 2002, letter of resignation).

8. SUBJECT: UPDATE OF CONFLICT OF INTEREST RESOLUTION (110.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Conflict of Interest Code of the City of Santa Barbara to Incorporate by Reference the Fair Political Practices Commission's Model Code and Rescinding Resolution No. 00-133.

ACTION: Approved the recommendation; Resolution No. 02-130 (October 29, 2002, Assistant City Administrator's report).

9. SUBJECT: AIRLINE RATES & CHARGES FOR 2002-2003 (560.02)

RECOMMENDATION: That Council:

- A. Approve the fiscal year 2002-2003 airline rates and charges for airline landing fees of \$1.62 per thousand pounds of gross landed weight, and an Airline Terminal square footage rental rate of \$52.47 per square foot per year for all commercial air carrier operations at Santa Barbara Airport effective October 1, 2002, through September 30, 2003; and
- B. Authorize the Airport Director to negotiate and execute the following Airline Operating Permits with:
 - 1. American Eagle Airlines, Inc., a California Corporation, for 1,435 square feet of Airline Terminal Space, at a monthly rental of \$6,275 plus a prorata share of the Joint Use Bag Claim Area and Holdroom at \$3498 per month, at the Santa Barbara Airport, for the one-year term October 1, 2002, to September 30, 2003.

(Cont'd)

CONSENT CALENDAR (Cont'd)

9. B. (Cont'd)

2. Mesa Airlines, Inc., a Nevada Corporation, dba America West Express, for 1,313 square feet of Airline Terminal Space, at a monthly rental of \$5,741 plus a prorata share of the Joint Use Bag Claim Area and Holdroom at \$3,258 per month, at the Santa Barbara Airport, for the one-year term October 1, 2002, to September 30, 2003.
3. Air Wisconsin Airlines Corporation, a Delaware Corporation, dba United Express, for a prorata share of the Joint Use Bag Claim Area and Holdroom at \$4,984 per month, at the Santa Barbara Airport, for the one-year term October 1, 2002, to September 30, 2003.
4. Skywest Airlines, Inc., a Utah Corporation, dba United Express, and the Delta Connection, for 5,363 square feet of Airline Terminal Space, at a monthly rental of \$23,450 plus a prorata share of the Joint Use Bag Claim Area and Holdroom at \$10,917 per month, at the Santa Barbara Airport, for the one-year term October 1, 2002, to September 30, 2003.

ACTION: Approved the recommendations; Agreement Nos. 20,809 – 20,812 (October 29, 2002, Airport Director's report).

10. SUBJECT: PROFESSIONAL SERVICES CONTRACT FOR SANTA BARBARA AIRPORT SECURITY SYSTEM UPGRADE PROJECT (560.01)

RECOMMENDATION: That Council:

- A. Approve the selection of Glover Resnick and Associates, Inc., to provide security consulting and project management services for the Santa Barbara Airport Security System Upgrade Project;
- B. Approve and authorize the Airport Director to execute a Professional Services Contract with Glover Resnick and Associates, Inc., to provide planning/programming and vulnerability assessment security consulting services for phase 1 of the Santa Barbara Airport Security System Upgrade Project for a not-to-exceed amount of \$56,822; and
- C. Increase appropriations and estimated revenue by \$56,822 in FY 2003 Airport FAA Capital Projects Fund to cover the cost of the project to be reimbursed from an FAA grant.

ACTION: Approved the recommendations; Contract No. 20,813 (October 29, 2002, Airport Director's report).

11. SUBJECT: PERSONAL SERVICES AGREEMENT FOR HEAD SWIM COACH (570.06)

RECOMMENDATION: That Council authorize the Parks and Recreation Director to execute an Agreement for Personal Services with Ira Klein as Head Swim Coach for the three-year term commencing September 1, 2002, and ending August 31, 2005.

ACTION: Approved the recommendation; Agreement No. 20,814 (October 29, 2002, Parks and Recreation Director's report).

12. SUBJECT: PROFESSIONAL SERVICE CONTRACT TO PERFORM REVENUE EXAMINATIONS FOR THE WATERFRONT DEPARTMENT (570.03)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a three-year agreement between the City and Pyne, Waltrip, Lippert & Decker, LLP, to perform revenue examinations for the Waterfront Department, in an amount not to exceed \$120,000 over the term of the contract.

ACTION: Approved the recommendation; Agreement No. 20,815 (October 29, 2002, Waterfront Director's report).

13. SUBJECT: RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR AND CITY CLERK TO EXECUTE AGREEMENTS ASSIGNING WATER EXTRACTION RIGHTS (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Administratively Execute Agreements Assigning Water Extraction Rights and Authorize the City Clerk to Assign and Provide Appropriate Agreement Numbers.

ACTION: Approved the recommendation; Resolution No. 02-131 (October 29, 2002, Public Works Director's report).

14. SUBJECT: SET A DATE FOR PUBLIC HEARING

RECOMMENDATION: That Council:

- A. Set the date of November 26, 2002, at 2:00 p.m. for hearing the appeal filed by James Gazdecki of the Historic Landmarks Commission denial of an application for property located at 665C Del Parque Drive, APN 017-410-022, R-3 Limited Multiple-Family Residence/SD-3 Coastal Overlay Zone, General Plan Designation: Residential, 12 Units per Acre. The proposal involves enclosing an existing second-floor balcony and a new skylight for a condominium in the East Beach Townhomes project; and

(Cont'd)

14. (Cont'd)

- B. Set the date of November 25, 2002, at 1:30 p.m. for a site visit to the property located at 665C Del Parque Drive.

ACTION: Approved the recommendations (October 11, 2002, letter of appeal).

NOTICES

- 15. The City Clerk has on Thursday, October 24, 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.

This concluded the Consent Calendar.

FINANCE COMMITTEE AND ORDINANCE COMMITTEE REPORTS

FINANCE COMMITTEE

- 16. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, OCTOBER 29, 2002, 12:00 P.M., IN ROOM 15 (120.03)
 - A. INVESTMENT MANAGEMENT REVIEW;
(See Agenda Item No. 18)
 - B. BANKING SERVICES AGREEMENT;
 - C. CHANGES TO BUDGET APPROACH AND PRESENTATION; AND
 - D. ENHANCEMENTS TO THE FINANCIAL MANAGEMENT SYSTEM

- 17. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

ACTION: Finance Committee Chair Dan Secord reported that the Committee met to hear a report on the third quarter 2002 Investment Management Review which will be presented to the Council as Item No. 18. They also reviewed the Banking Services Agreement with Santa Barbara Bank and Trust, heard a presentation regarding planned changes to the budget process for fiscal year 2004-2005, and heard a presentation regarding enhancements to the Financial Management System which will be presented to Council next week.

- 18. SUBJECT: INVESTMENT MANAGEMENT REVIEW (260.02)

RECOMMENDATION: That Council receive and accept the third quarter 2002 Investment Management Review from Public Financial Management, Inc. (PFM).

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18. (Cont'd)

DOCUMENTS:

October 29, 2002, Finance Director's report.

SPEAKERS:

- Staff: Treasury Manager Cynthia Odell.
- Public Financial Management, Inc.: Lauren Brant.

ACTION: By consensus, the Council approved the recommendation.

ORDINANCE COMMITTEE

19. **SUBJECT:** ORDINANCE COMMITTEE AGENDA, OCTOBER 29, 2002, 1:00 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF RECREATIONAL VEHICLE PARKING (120.03)

20. **SUBJECT:** REPORT FROM THE ORDINANCE COMMITTEE

ACTION: Ordinance Committee Chair Gregg Hart reported that the Committee met to review the proposed ordinance for recreational vehicle parking and favorably agreed to forward it to the Council with a recommendation from Councilmember Folayemni that the Council delay action for 30 days.

COUNCIL AND STAFF COMMUNICATIONS

INFORMATION: Councilmember Horton reported that he attended a dedication ceremony for the Tomol House by the Chumash Maritime Association at Arroyo Burro Beach.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION: Councilmember Fairly reported that he attended a closed session meeting of the Santa Barbara Water Purveyors Agency regarding implementation of security measures throughout the County.

ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

21. SUBJECT: FISCAL YEAR 2003-2004 HUMAN SERVICES AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING (610.05)

RECOMMENDATION: That Council:

- A. Review the current Community Development and Human Services Committee (CDHSC) program funding priorities, and provide input and direction on the criteria and priorities for FY 2003-2004 Human Services and Community Development Block Grant funding decisions; and
- B. Authorize staff to release the FY 2003-2004 funding application along with the committee review process and schedule for review of those applications.

DOCUMENTS:

October 29, 2002, Community Development Director's report.

SPEAKERS:

Staff: Community Development Programs Supervisor Mark Taylor.

Councilmember Horton indicated he would be abstaining because he was associated with one of the organizations requesting funding.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendations.

VOTE:

Unanimous voice vote (Abstention: Councilmember Horton).

RECESS

2:45 p.m. – 2:50 p.m.

CLOSED SESSIONS

22. 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 *Gabriela Robles v. City of Santa Barbara, et al.*, SBSC Case No. 1069041.

Scheduling: Duration, 10 minutes; anytime

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22. (Cont'd)

DOCUMENTS:

October 29, 2002, City Attorney's report.

TIME:

2:50 p.m. – 3:00 p.m.

RECESS

3:00 p.m. – 3:05 p.m.

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

RECOMMENDATION: That Council hold a closed session to consider pending litigation pursuant to subsections (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 25 minutes; anytime

DOCUMENTS:

October 29, 2002, City Attorney's report.

TIME:

3:05 p.m. – 3:35 p.m.

RECESS

3:35 p.m. – 3:40 p.m.

24. **SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION - GOVERNMENT CODE SECTION 54957 (160.01)**

RECOMMENDATION: That Council hold a Closed Session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, one hour; anytime

DOCUMENTS:

October 29, 2002, Mayor's report.

TIME:

3:40 p.m. – 4:30 p.m.

RECESS

4:30 p.m. – 4:33 p.m. The City Council reconvened in the Council Chamber; Councilmember Secord and City Administrator James Armstrong were absent.

ANNOUNCEMENT

City Attorney Daniel Wallace reported that the Council met in closed session for Agenda Item Nos. 22, 23, and 24; no reportable action was taken during the closed sessions.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:34 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK