



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 18, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 1:00 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: 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 Susan Tschech.

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING THE WEEK OF MARCH 24 - 31, 2003, AS WHALE FESTIVAL WEEK (120.04)

ACTION: Proclamation presented to Whale Festival Coordinator Valerie Bohonus.

2. SUBJECT: PROCLAMATION DECLARING THE MONTH OF MARCH 2003 AS PROFESSIONAL SOCIAL WORK MONTH (120.04)

ACTION: Proclamation presented to Dr. James Karls, President of the National Association of Social Workers, California Chapter, Santa Barbara Unit.

3. SUBJECT: PROCLAMATION DECLARING THE MONTH OF MARCH 2003 AS WOMEN'S HISTORY MONTH (120.04)

ACTION: Proclamation presented to Sonia Kroth, representing the Santa Barbara County Commission for Women.

PUBLIC COMMENT

SPEAKERS: Missy Runnels, Lazarus, Ken Loch, Mike McCorkle, Lynn Hendred, Bob Hansen, Nancy Tunnell, Bruce Rittenhouse, Kate Smith and Anna Campbell.

CONSENT CALENDAR (Item Nos. 4 - 20)

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

MOTION:

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

VOTE:

Unanimous voice vote.

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meetings of February 25, and March 4, 2003.

ACTION: Approved the recommendation.

5. SUBJECT: LEASE AGREEMENT WITH MIRAVANT MEDICAL TECHNOLOGIES, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Miravant Medical Technologies, a Delaware Corporation, for 5,370 square feet of Building 247, 400 David Love Place, at the Santa Barbara Airport, commencing February 1, 2003, for a total monthly rental of \$3,491, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,915 (March 18, 2003, Airport Director's report).

6. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION CHANGE FOR FINANCE 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. 02-076, the Position and Salary Control Resolution for Fiscal Year 2002-03, Affecting the Finance Department Effective February 22, 2003.

ACTION: Approved the recommendation; Resolution No. 03-016 (March 18, 2003, Finance Director's report).

7. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION CHANGE FOR ADMINISTRATIVE SERVICES 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. 02-076, the Position and Salary Control Resolution for Fiscal Year 2002-2003, Affecting the City Clerk's Office of the Administrative Services Department Effective March 22, 2003.

ACTION: Approved the recommendation; Resolution No. 03-017 (March 18, 2003, Assistant City Administrator's report).

8. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH SPIRIT OF '76 (230.02)

RECOMMENDATION: That Council approve and authorize the Finance Director to execute the Community Promotion contract with the Spirit of '76 in the amount of \$12,500 for March 15, 2003, to August 30, 2003.

ACTION: Approved the recommendation; Contract No. 20,916 (March 18, 2003, Finance Director's report).

9. SUBJECT: 4TH OF JULY FIREWORKS AGREEMENT (230.02)

RECOMMENDATION: That Council authorize the Finance Director to negotiate and execute an agreement, in a form acceptable to the City Attorney, with Boom Boom Productions in an amount not to exceed \$40,000 for the 2003 4th of July community fireworks display.

ACTION: Approved the recommendation; Agreement No. 20,917 (March 18, 2003, Finance Director's report).

10. SUBJECT: AMENDMENT TO LEASE AGREEMENT FOR MONTECITO HALL (570.04)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a First Amendment to Lease Agreement Between the City of Santa Barbara, the County of Santa Barbara, and the Montecito Association for Lease by the County of Property at 1469 East Valley Road, Montecito, as Space for Community Library, Office Space and Public Meeting Hall.

ACTION: Approved the recommendation (March 18, 2003, Library Director's report).

11. SUBJECT: NOTICE OF COMPLETION FOR OUTER STATE STREET SIGNALS PROJECT (530.05)

RECOMMENDATION: That Council accept the work completed by Taft Electric Company (Taft), Bid No. 3310, Contract No. 20,411, for the Outer State Street Signals Project, in the final contract amount of \$1,196,347.27, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (March 18, 2003, Public Works Director's report).

12. SUBJECT: NOTICE OF COMPLETION FOR LINDA ROAD SEWER LIFT STATION IMPROVEMENTS (540.13)

RECOMMENDATION: That Council accept the work completed by Tierra Contracting, Incorporated (Tierra), Contract No. 20,383, Bid No. 3274, for the Linda Road Sewer Lift Station Improvements Project, located at 312 Linda Road, in the final contract amount of \$489,331.95, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (March 18, 2003, Public Works Director's report).

13. SUBJECT: NOTICE OF COMPLETION FOR SIDEWALK REPAIRS AND ACCESS RAMPS, FY 2000-01 AND 2001-02 (530.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 20,793, for the Sidewalk Repairs and Access Ramps, FY 2000-01 and 2001-02, Bid No. 3332, in the final contract amount of \$248,730.53, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (March 18, 2003, Public Works Director's report).

14. SUBJECT: PARCEL MAP AND AGREEMENT FOR 102 EAST PUEBLO STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,650 by Melville Sahyun, a married man as his sole and separate property, for property located at 102 East Pueblo Street, APN 025-201-020, finding the map in conformance with the General Plan and applicable specific plans of the City; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

ACTION: Approved the recommendations; Agreement No. 20,918 (March 18, 2003, Public Works Director's report).

15. SUBJECT: CONTRACT FOR AIRFIELD SAFETY PROJECTS (560.04)

RECOMMENDATION: That Council authorize the Public Works Director to negotiate and execute a contract with URS Corporation (URS), in an amount not to exceed \$768,061, for services associated with the Airfield Safety Projects (ASP), and authorize the Public Works Director to approve expenditures up to \$38,400 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendation; Contract No. 20,919 (March 18, 2003, Public Works Director's report).

16. SUBJECT: ADOPTION OF ORDINANCE FOR LEASE AGREEMENT WITH SANTA BARBARA SCHOOL DISTRICT FOR USE OF HARDING RECREATION CENTER (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and the Santa Barbara School District for Use of the Harding Recreation Center. (Introduced on March 4, 2003)

ACTION: Approved the recommendation; Ordinance No. 5268; Agreement No. 20,920.

17. SUBJECT: ADOPTION OF ORDINANCE FOR CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO AIRPORT LOCAL COASTAL PROGRAM AMENDMENT (650.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 29.25 of Title 29 of the Santa Barbara Municipal Code Relating to the Goleta Slough Reserve Zone to be Consistent with the Airport and Goleta Slough Component of the City's Certified Local Coastal Program. (Introduced on March 4, 2003)

ACTION: Approved the recommendation; Ordinance No. 5267.

NOTICES

18. The City Clerk has on Thursday, March 13, 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.
19. Cancellation of the site visit, scheduled for March 24, 2003, at 1:30 p.m., and the public hearing, scheduled for March 25, 2003, at 6:00 p.m., both related to an appeal of an Architectural Board of Review decision for a project on property located at 3235 Campanil Drive. The appeal was withdrawn on March 3, 2003.
20. The City Council will hold a Public Hearing on Tuesday, March 25, 2003, at 6:00 p.m. to consider recommendations from the Community Development and Human Services Committee for Fiscal Year 2003-2004 Community Development Block Grant (CDBG) and Human Services Funds.

This concluded the Consent Calendar.

REQUESTS FROM THE PUBLIC

27. SUBJECT: REQUEST FROM THE CHILDREN AND FAMILIES COMMISSION OF SANTA BARBARA COUNTY TO MAKE A PRESENTATION REGARDING PROPOSITION 10 PROGRESS (150.04)

DOCUMENTS:

- January 21, 2003, letter from the Children & Families Commission of Santa Barbara County.
- PowerPoint presentation made by the Executive Director of the Children & Families Commission.
- The Commission's 2001-2002 Annual Report and 2002-2005 Strategic Plan, and other brochures related to the Commission's efforts.

(Cont'd)

27. (Cont'd)

SPEAKERS:

Children & Families Commission of Santa Barbara County: Executive Director Patricia Wheatley.

DISCUSSION:

Ms. Wheatley provided an overview of Proposition 10. She stated the Commission's vision and priorities for Proposition 10 funds invested in Santa Barbara County and listed the many specific programs to which funds had been directed.

ORDINANCE COMMITTEE REPORT

21. SUBJECT: ORDINANCE COMMITTEE AGENDA, MARCH 18, 2003, 1:00 P.M., IN COUNCIL CHAMBER (120.03)

- A. Amendments to the Administrative Citation Ordinance; and
- B. Live-Aboard Regulations.

22. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee had considered proposed amendments to both the Administrative Citation Program Ordinance and to live-aboard regulations. The Committee approved both sets of amendments, which will be forwarded to the full Council for introduction and subsequent adoption.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Secord reported on his attendance at a meeting of a local government commission on the issue of water sustainability; also, he will be advocating the Tajiguas landfill expansion at a future meeting of the Regional Water Quality Control Board.
- Councilmember Horton reported on his attendance at a meeting regarding child care programs and their funding.
- Councilmember Falcone reported on the recent meeting of the Channel Counties Division of the League of California Cities, at which local government funding was discussed.

ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

23. SUBJECT: CONTRACT FOR NEIGHBORHOOD PRESERVATION
ORDINANCE UPDATE (640.02)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to approve a contract for the services of RRM Design Group to update the Neighborhood Preservation Ordinance (NPO) and the Single Family Residential Design Guidelines at a total cost for services not to exceed \$85,000; and
- B. Allocate \$8,500 from the FY 2003 General Fund Appropriated Reserve to the Community Development Department for project contingency costs.

DOCUMENTS:

- March 18, 2003, Community Development Director's report.
- March 17, 2003, letter from The Riviera Association of Santa Barbara.

SPEAKERS:

- Staff: City Administrator James Armstrong.
- Members of the Public: Timothy Harding; S. Dorothy Fox; Steve Patchen, Riviera Association.

MOTION:

Councilmembers Secord/Horton to continue this item for 30 days.

VOTE:

Unanimous voice vote.

24. SUBJECT: LOAN FOR NEW AFFORDABLE HOUSING AT 210 WEST
VICTORIA STREET (660.04)

RECOMMENDATION: That Council approve a \$480,000 loan from federal HOME funds to Peoples' Self-Help Housing Corporation for the construction of new affordable housing at 210 West Victoria Street and authorize the City Administrator to execute the loan agreement and other related documents in a form acceptable to the City Attorney.

DOCUMENTS:

March 18, 2003, Community Development Director's report.

SPEAKERS:

Staff: Housing Programs Supervisor Steven Faulstich.

(Cont'd)

23. (Cont'd)

MOTION:

Councilmembers Secord/Falcone to approve the recommendation;
Agreement No. 20,921.

VOTE:

Unanimous voice vote.

25. **SUBJECT: INITIATION OF ANNEXATION AND PRELIMINARY ECONOMIC DEVELOPMENT DESIGNATION (680.04)**

RECOMMENDATION: That Council initiate the annexation of 4151 Foothill Road and 675 Cieneguitas Road and make the preliminary finding that the Fielding Institute project would enable the educational-oriented facility to continue its services that enhance the standard of living for City and South Coast residents and strengthen the local and regional economy, and grant the project a Preliminary Economic Development Designation for 22,499 square feet of floor area.

DOCUMENTS:

March 18, 2003, Community Development Director's report.

SPEAKERS:

- Staff: Assistant Planner Jessica Grant, City Planner Bettie Hennon, Assistant City Attorney Stephen Wiley, Community Development Director Paul Casey.
- Members of the Public: Michael Towbes, Applicant; Judith Kuiper, Fielding Graduate Institute; Chris Cameron, Foothill Pet Hospital.

Councilmember Fodayemi left the meeting at 3:58 p.m.

MOTION:

Councilmember Secord/Mayor Blum to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Fodayemi).

RECESS

4:04 p.m. - 4:17 p.m. Councilmember Fairly was absent when the Council reconvened.

ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

PARKS AND RECREATION DEPARTMENT

26. SUBJECT: LEASE AGREEMENT FOR ELINGS PARK (330.04)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute a Lease Agreement Between the City of Santa Barbara and the Elings Park Foundation for Ninety-Four Acres of City Parkland Constituting a Portion of the Park Known as Elings Park.

DOCUMENTS:

- March 18, 2003, Parks and Recreation Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

- Staff: Parks and Recreation Director Richard Johns.
- Elings Park Foundation: Executive Director Joan Russell Price, President Bruce Giffin.
- Member of the Public: Michael Magne.

MOTION:

Councilmembers Horton/Hart to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

RECESS

4:29 p.m. - 4:30 p.m.

CLOSED SESSIONS

28. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider anticipated litigation pursuant to subsection (b) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case.

Scheduling: Duration, 10 minutes; anytime

(Cont'd)

28. (Cont'd)

DOCUMENTS:

March 18, 2003, City Attorney's report.

TIME:

4:30 p.m. - 4:45 p.m.

29. 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 *Janeways v. City of Santa Barbara, et al.*, SBSC Case Number 01111681.

Scheduling: Duration, 15 minutes; anytime

DOCUMENTS:

March 18, 2003, City Attorney's report.

TIME:

4:45 p.m. - 5:00 p.m.

RECESS

5:00 p.m. - 6:00 p.m. The City Council reconvened in the Council Chamber.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Hart, Horton, Secord, Mayor Blum.

Councilmembers absent: Fodayemi.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wallace, Deputy City Clerk Tschech.

ANNOUNCEMENT:

City Attorney Daniel Wallace reported that the Council met in closed session for Agenda Item Nos. 28 and 29; no reportable action was taken during the closed sessions.

PUBLIC COMMENT

SPEAKERS: Peter Conn and Paulina Conn.

ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

COMMUNITY DEVELOPMENT DEPARTMENT (Cont'd)

30. SUBJECT: AMENDMENTS THE R-2, TWO-FAMILY RESIDENCE ZONE (640.09)

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 Chapter 28.18 of Title 28, Chapter 27.13 of Title 27 and Chapter 22.68 of Title 22 Pertaining to Additional Rental Housing on Smaller Lots in the R-2 Zones of the City.

DOCUMENTS:

- March 18, 2003, Community Development Director's report.
- Proposed Ordinance.
- March 18, 2003, statement from the League of Women Voters of Santa Barbara, Inc.

The title of the ordinance was read.

SPEAKERS:

- Staff: Project Planner Beatriz Ramirez, Supervising Transportation Planner Rob Dayton, Principal Planner John Ledbetter, Assistant City Attorney Stephen Wiley.
- Planning Commission: Chair Bill Mahan.
- Members of the Public: Kathiann Brown; Raymond Appleton; Joan Livingston, Westside Community Group; Kellem de Forest; Nyle Utterback; Paul Poirier, American Institute of Architects; Anna Campbell.

MOTION:

Councilmembers Secord/Hart to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Folayemi).

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:24 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK