



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 18, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance Committee met at 1:00 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 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, Acting City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING THE WEEKS OF NOVEMBER 16 - 30, 2003, AS FIREFIGHTER APPRECIATION WEEK (120.04)

ACTION: Proclamation presented to Muscular Dystrophy Association Program Coordinator Lisa Sierra.

### PUBLIC COMMENT

SPEAKERS: Ken Loch, Scott Wenz and Michael Mann.

**CONSENT CALENDAR** (Item Nos. 2 – 11)

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

**MOTION:**

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

**VOTE:**

Unanimous roll call vote.

2. **SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of November 4, 2003.

**ACTION:** Approved the recommendation.

3. **SUBJECT: CONTRACT FOR YOUTH WATERSHED EDUCATION PROGRAMS (540.14)**

**RECOMMENDATION:** That Council approve and authorize the Parks and Recreation Director to execute a one-year professional services contract with the Community Environmental Council in the amount of \$56,000 for the provision of youth watershed education programs.

**SPEAKERS:**

Member of the Public: Ken Loch.

**ACTION:** Approved the recommendation; Contract No. 21,202 (November 18, 2003, Parks and Recreation Director's report).

4. **SUBJECT: ADOPTION OF ORDINANCE FOR REPEAL OF SETBACK LINES ON CHAPALA STREET (640.09)**

**RECOMMENDATION:** That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Municipal Code Sections 28.83.037 and 28.83.047, Pertaining to Chapala Street Setbacks. (Introduced on November 11, 2003)

**ACTION:** Approved the recommendation; Ordinance No. 5296.

5. SUBJECT: NOTICE OF COMPLETION FOR MUNICIPAL GOLF COURSE DRIVING RANGE IMPROVEMENTS (570.02)

RECOMMENDATION: That Council accept the work completed by Elevation General Engineering, Inc. (Elevation), Contract No. 20,840, for the Municipal Golf Course Driving Range Improvements Project, Bid No. 3349, located at 3500 McCaw Road, in the final contract amount of \$266,934.26, including approved changes, and approve filing of a Notice of Completion.

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

6. SUBJECT: LEASE AGREEMENT WITH BEACHSIDE ASSOCIATES, INC. (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Beachside Associates, Inc., a California Corporation, for 2,457 square feet of Building 314 at 101-B & -C Dean Arnold Place, at the Santa Barbara Municipal Airport, commencing December 1, 2003, for a total monthly rental of \$1,998, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,203 (November 18, 2003, Airport Director's report).

7. SUBJECT: AGREEMENT WITH DEPARTMENT OF BOATING AND WATERWAYS FOR GRANT MONIES (570.03)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute a Grant Contract with the California Department of Boating and Waterways for Development of a Vessel Porta-Potty Dump Station Facility in Santa Barbara Harbor;
- B. Authorize the City Administrator to execute an agreement with the Department of Boating and Waterways to receive \$54,000 in grant funds for the development of a vessel porta-potty dump station facility in Santa Barbara Harbor; and
- C. Increase Fiscal Year 2004 estimated revenue in the amount of \$54,000 and appropriate the funds to the Waterfront Department's Fiscal Year 2004 Capital Budget.

ACTION: Approved the recommendations; Resolution No. 03-100; Agreement No. 21,204 (November 18, 2003, Waterfront Director's report; proposed resolution).

8. SUBJECT: RENEWAL OF AGREEMENT FOR GOLF CONCESSION (330.04)

RECOMMENDATION: That Council:

- A. Find satisfactory performance overall in all major aspects of the performance of Richard Chavez as the Director of Golf at Santa Barbara Golf Club; and
- B. Accept Director of Golf's exercise of option to renew the golf concession agreement for an additional five years based on the finding of satisfactory performance.

SPEAKERS:

- Staff: Parks and Recreation Director Richard Johns.
- Director of Golf: Richard Chavez.

ACTION: Approved the recommendations (November 18, 2003, Parks and Recreation Director's report).

9. SUBJECT: CONTRACT FOR LOWER MISSION CREEK FLOOD CONTROL PROJECT (530.03)

RECOMMENDATION: That Council authorize the Public Works Director to execute a Representative Services Agreement between the City of Santa Barbara (City) and E. Del Smith of E. Del Smith and Company, Inc., Washington, D.C., for liaison and contact services with the United States Government, at a rate not to exceed \$600 per month and a total amount not to exceed \$14,400 for Fiscal Years 2004 and 2005.

ACTION: Approved the recommendation; Agreement No. 21,205 (November 18, 2003, Public Works Director's report).

NOTICES

- 10. The City Clerk has on Thursday, November 13, 2003, 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.
- 11. Cancellation of the regular Redevelopment Agency meeting of November 18, 2003, at 2:00 p.m. due to lack of business.

This concluded the Consent Calendar.

## **FINANCE COMMITTEE REPORT**

12. SUBJECT: FINANCE COMMITTEE AGENDA, NOVEMBER 18, 2003, 1:00 P.M., IN ROOM 15, FOR CONSIDERATION OF BANKING SERVICES AGREEMENT (120.03)
13. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee heard a Staff report on banking services and approved a recommendation to authorize the Finance Director to negotiate and execute an agreement for these services. This recommendation will be submitted to the Council next week.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Horton described the activities of the Santa Barbara County Jobs/Housing Steering Committee.
- Councilmember Falcone mentioned the efforts of a diverse task force to improve the efficiency of the application of the California Environmental Quality Act.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PUBLIC WORKS DEPARTMENT**

14. SUBJECT: CAPITAL IMPROVEMENT PROJECTS FIRST QUARTER UPDATE FOR FISCAL YEAR 2004 (230.01)

**RECOMMENDATION:** That Council receive, for information only, the Capital Improvement Projects First Quarter Update for Fiscal Year 2004.

### **DOCUMENTS:**

November 18, 2003, Public Works Director's report.

### **SPEAKERS:**

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, who showed photographs of various capital projects in progress or completed during the first quarter.
- Member of the Public: Scott Wenz.

By consensus, the Council received the report.

## REQUESTS FROM THE PUBLIC

15. SUBJECT: IMPLEMENTATION OF PROPOSITION 215 - MEDICAL MARIJUANA (520.04)

RECOMMENDATION: That Council hear a presentation from Bruce Rittenhouse on the implementation of Proposition 215/Medicinal Marijuana.

### DOCUMENTS:

- Letter from Bruce Rittenhouse received October 14, 2003, by the City Administrator's Office.
- November 18, 2003, City Administrator's report.
- January 21, 2001, letter from Bruce Rittenhouse, addressed to the Ordinance Committee.
- November 18, 2003, letter from Denise Valenti.

### SPEAKERS:

- Members of the Public: Bruce Rittenhouse, Janet Benner, Brian Barnwell, Robert Cawley.
- Staff: Acting City Attorney Stephen Wiley.

By consensus, the Council took no action on the request.

Councilmember Falcone stated she would not participate in Agenda Item No. 16 due to a conflict of interest.

## RECESS

3:06 p.m. – 3:16 p.m. Councilmember Falcone was absent.

## PUBLIC HEARINGS

16. SUBJECT: APPEAL OF ARCHITECTURAL BOARD OF REVIEW PRELIMINARY APPROVAL FOR 3208 CAMPANIL DRIVE (640.07)

RECOMMENDATION: That Council deny the appeal of Steven Amerikaner, agent for Dr. Anthony Sances and Mary Sances, and uphold the Architectural Board of Review's decision to grant Preliminary Approval of the proposed exterior lighting, and approve the project pursuant to the Neighborhood Preservation Ordinance, making the findings contained in the Council Agenda Report.

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

(Cont'd)

16. (Cont'd)

DOCUMENTS:

- November 18, 2003, Community Development Director's report.
- August 14, 2003, letter of appeal from Attorney Steven Amerikaner.
- November 13, 2003, letter from Appellants Walter Knapp, Barbara Luan, Anthony Sances, Jr., and Fred Carlin.
- November 16, 2003, letter from Appellant Walter Knapp, representing the Braemar Ranch Homeowners Association.
- November 18, 2003, letter from Appellant Mary Sances.
- November 15, 2003, letter from Dolores Weber.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

3:17 p.m.

SPEAKERS:

- Staff: Design Review Supervisor Jaime Limón, Acting City Attorney Stephen Wiley.
- Architectural Board of Review: Chair Jeffrey Gorrell, Member Christine Pierron.
- Appellant: Walter Knapp, Architect William Cooper.
- Applicant: Benjamin Bollag, Architect Jose Luis Esparza.
- Members of the Public: Tina Hammond, Campanil Homeowners Association; Natalie Myerson.

PUBLIC HEARING CLOSED:

4:19 p.m.

MOTION:

Councilmembers Fodayemi/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Falcone).

**RECESS**

4:20 p.m. – 6:00 p.m.

Mayor Blum presiding.

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

Councilmembers absent: None.

Staff present: Assistant City Administrator Joan M. Kent, Acting City Attorney Wiley, Deputy City Clerk Tschech.

## **PUBLIC COMMENT**

No one wished to speak.

## **MAYOR AND COUNCIL REPORTS**

### 17. SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)

RECOMMENDATION: That Council hold interviews of applicants to various City Advisory Groups at 6:00 p.m.

#### DOCUMENTS:

- November 18, 2003, Assistant City Administrator's report.
- Letter from Louise Boucher received November 14, 2003, by the Mayor & Council Office.
- November 18, 2003, letter from Architectural Board of Review Member Stephanie Christoff.

#### SPEAKERS:

The following applicants were interviewed:

Architectural Board of Review:

Bruce A. Bartlett

Arts Advisory Committee:

Judy Nilsen

Leon Olson

Ionita Heinze

Charmaine Curtis Jacobs

Community Development and Human Services Committee:

Karena Jew

Community Events and Festivals Committee:

Ionita Heinze

Creeks Advisory Committee:

Daniel Hochman

W. Michael Hackett

Douglas Family Preserve Advisory Committee:

Sue Higman

Fire and Police Commission:

Kerry Schwartz

Franklin Center Advisory Committee:

Marshall Burns

Reinaldo Gonzalez (interviewed on behalf of Saul Rivera)

Harbor Commission:

Frank Kelly

(Cont'd)

17. (Cont'd)

**SPEAKERS (Cont'd):**

Historic Landmarks Commission:

Susette Naylor

William Howard Wittausch

Lower Westside Center Advisory Committee:

Marshall Burns

Planning Commission:

Bruce A. Bartlett

Charmaine Curtis Jacobs

Rental Housing Mediation Task Force:

Ionita Heinze

Transportation and Circulation Committee:

Marshall Burns

Water Commission:

Kathleen Rees

Appointments to the advisory groups are scheduled for November 25, 2003.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:08 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

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