



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
October 16, 2001  
COUNCIL CHAMBER, DE LA GUERRA PLAZA**

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**CALL TO ORDER**

Mayor Harriet Miller called the meeting to order at 2:07 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 Harriet Miller.

**ROLL CALL**

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert Garcia, Gregg A. Hart, Dan B. Secord, Mayor Miller.  
Councilmembers absent: Tom Roberts.  
Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

**CEREMONIAL ITEMS**

Proclamations

1. SUBJECT: ISSUANCE BY THE MAYOR OF A PROCLAMATION DECLARING OCTOBER 28, 2001, AS SANTA BARBARA PEACE CORPS DAY (120.04)

ACTION: Proclamation presented to Barbara Hodgdon, local Peace Corps chapter president.

**PUBLIC COMMENT**

SPEAKERS: Ken Loch, Bruce Rittenhouse and Catherine Gaughen.

**CONSENT CALENDAR** (Item Nos. 2 - 13)

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of October 1, and the regular meeting of October 2, 2001.

ACTION: Approved the recommendation.

3. SUBJECT: 632 EAST CANON PERDIDO STREET - ACCEPTANCE OF STREET EASEMENT DEED AND APPROVAL AND ACCEPTANCE OF AGREEMENT ASSIGNING WATER EXTRACTION RIGHTS (330.03)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement in Real Property Located at 632 East Canon Perdido Street, APN 031-032-017;
- B. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Assigning Water Extraction Rights for the City and Accepting Interest in Real Property Located at 632 East Canon Perdido Street, APN 031-032-017.

ACTION: Approved the recommendations; Resolution Nos. 01-121 and 01-122; Agreement No. 20,430 (October 12, 2001, Acting City Administrator's report).

4. SUBJECT: EL ESTERO DRAINAGE WETLAND RESTORATION PLAN - DRAINAGE EASEMENT AT LAGUNA CHANNEL BY UNION PACIFIC RAILROAD COMPANY (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Drainage and Related Purposes Covering a Portion of Laguna Channel Located on Certain Real Property Owned by Union Pacific Railroad Company, Santa Barbara County Assessor's APN 017-010-070.

SPEAKERS:

Staff: Water Resources Manager Bob Roebuck.

ACTION: Approved the recommendation; Resolution No. 01-123 (October 12, 2001, Acting City Administrator's report).

5. SUBJECT: GRANT FROM U.S. BUREAU OF RECLAMATION TO FUND THE "SPLASHTASTIC" WATER EDUCATION PROGRAM (540.01)

RECOMMENDATION: That Council:

- A. Accept a grant from the U.S. Bureau of Reclamation in the amount of \$11,780 for the "Splashtastic" Water Education Program;
- B. Authorize the City General Services Manager to issue a Purchase Order in the amount not to exceed \$11,780, to the Dr. Wilderness Show, Inc., for providing the "Splashtastic" Water Education Program; and
- C. Increase the estimated 2001-2002 Water Fund Revenues by \$11,780, and appropriate the same to the 2001-2002 Water Fund Operating Budget.

SPEAKERS:

Staff: Water Supply Manager Steve Mack.

ACTION: Approved the recommendations (October 12, 2001, Acting City Administrator's report).

6. SUBJECT: NOTICE OF COMPLETION - LAGUNA/MISSION INTERSECTION IMPROVEMENTS, CONTRACT NO. 20,325 (530.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 20,325, for the Laguna/Mission Intersection Improvement Project, Bid No. 3298, located at the intersection of Laguna and Mission Streets, in the final contract amount of \$103,565.18, including approved quantity changes, and approve filing of a Notice of Completion.

(Cont'd)

6. (Cont'd)

SPEAKERS:

Staff: City Engineer Pat Kelly.

ACTION: Approved the recommendation (October 12, 2001, Acting City Administrator's report; October 13, 2001, letter from Planning Commission Chair Grant House; October 16, 2001, e-mail communications from Michael Hecker, Eva Maria Inbar; undated letter from Don Lubach).

7. SUBJECT: ACCEPTANCE OF A \$7,500 GRANT FROM THE SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT FOR A TOBACCO EDUCATION PREVENTION PROGRAM AWARDED TO THE PARKS AND RECREATION DEPARTMENT, COMMUNITY SERVICES SECTION (800.07)

RECOMMENDATION: That Council:

- A. Accept a \$7,500 grant from the Santa Barbara County Public Health Department for a Tobacco Education Prevention Program awarded to the Parks and Recreation Department, Community Services Section; and
- B. Increase estimated revenues and appropriations in the Fiscal Year 2001-2002 Miscellaneous Grants Fund for the Parks and Recreation Department in the amount of \$7,500.

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns.

ACTION: Approved the recommendations (October 12, 2001, Acting City Administrator's report).

NOTICES

- 8. The City Clerk has on Friday, October 12, 2001, 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.
- 9. Ordinance Committee meeting, October 16, 2001, at 1:00 p.m. in the Council Chamber for consideration of Proposed Outdoor Vending Machine Regulations and Design Guidelines. (120.03)
- 10. Cancellation of Redevelopment Agency meeting, October 16, 2001, at 2:00 p.m. (620.03)

11. The City Council will attend a presentation of "The City Forecast," sponsored by the Santa Barbara Region Chamber of Commerce and the UCSB Economic Forecast Project, to be made on Thursday, October 18, 2001, at 11:30 a.m. at the Doubletree Resort, 633 E. Cabrillo Boulevard, Santa Barbara. (650.11)
12. The City Council will conduct a site visit on Monday, October 22, 2001, at 1:30 p.m. to the property located at 536 De La Vista Avenue, which is the subject of an appeal hearing set for October 23, 2001, at 6:00 p.m. (640.07)
13. Cancellation of the regular City Council meeting of October 30, 2001, due to lack of a quorum. (120.09)

This completed the Consent Calendar.

#### **REPORT FROM ORDINANCE COMMITTEE**

14. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Marty Blum reported that the Committee reviewed and heard public comment on a draft ordinance and design guidelines for the regulation of outdoor vending machines. This issue will return to the Committee on October 23, 2001.

#### **ADMINISTRATIVE REPORTS**

##### PUBLIC WORKS DEPARTMENT

15. SUBJECT: RESIDENTIAL STREET SWEEPING PILOT PROGRAM (530.04)

RECOMMENDATION: That Council:

- A. Hear a presentation from Staff regarding the pilot Residential Street Sweeping Program to be funded with Measure B revenues; and
- B. Authorize the General Services Manager to issue a Purchase Order to Continental Janitorial in their low bid amount of \$81,100 for implementation of the Residential Street Sweeping Pilot Program, Bid No. 4270, and if Continental Janitorial fails to qualify or execute the agreement, that the General Services Manager be authorized to issue a purchase order to the next lowest responsible, responsive bidder.

(Cont'd)

15. (Cont'd)

DOCUMENTS:

- October 12, 2001, Acting City Administrator's report.
- October 16, 2001, City Administrator's memorandum recommending the modification to recommendation B, shown underlined above.
- PowerPoint presentation made by Staff.

SPEAKERS:

- Staff: City Administrator James Armstrong, Creeks Restoration/Clean Water Manager Jill Zachary, Transportation Operations and Parking Manager George Gerth, Police Sergeant Gary Wolfe.
- Member of the Public: Bruce Rittenhouse.

MOTION:

Councilmembers Secord/Hart to approve the recommendations, as revised.

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

PARKS AND RECREATION DEPARTMENT

17. SUBJECT: CREEKS ADVISORY COMMITTEE PROPOSED GOALS AND OBJECTIVES AND PROJECT EVALUATION CRITERIA (540.14)

RECOMMENDATION: That Council:

- A. Hear a presentation on the two work sessions held by the Creeks Restoration and Water Quality Improvement Citizens Advisory Committee to develop goals and objectives and project evaluation criteria;
- B. Accept the recommendation from the Creeks Restoration and Water Quality Improvement Citizens Advisory Committee that Council consider the work session results, including the goals and objectives and project evaluation criteria as the first work product of the Committee; and
- C. Approve the goals and objectives and project evaluation criteria as a strategic planning framework for the Creeks Restoration and Water Quality Improvement Program.

DOCUMENTS:

- October 12, 2001, Acting City Administrator's report.
- PowerPoint presentation made by Staff.

(Cont'd)

17. (Cont'd)

SPEAKERS:

- Staff: Creeks Restoration/Clean Water Manager Jill Zachary.
- Creeks Restoration and Water Quality Improvement Program Citizen Advisory Committee: Chair John Jostes, Member Sheri Benninghoven.

MOTION:

Councilmembers Fairly/Secord to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

RECESS

3:25 p.m. - 3:32 p.m.

**ADMINISTRATIVE REPORTS**

PUBLIC WORKS DEPARTMENT

16. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH CAROLLO ENGINEERS FOR THE EL ESTERO WASTEWATER TREATMENT PLANT EQUIPMENT UPGRADES PROJECT DESIGN (540.13)

RECOMMENDATION: That Council:

- A. Award and authorize the City Administrator to execute a contract with Carollo Engineers (Carollo) for professional services for El Estero Wastewater Treatment Plant Equipment Upgrades Project Design, at a total fee not to exceed \$416,757; and
- B. Authorize the Public Works Director to approve extra services of the contractor that may result from necessary changes in the scope of work, at a total amount not to exceed \$42,000.

DOCUMENTS:

October 12, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Water Resources Manager Bob Roebuck.

(Cont'd)

16. (Cont'd)

MOTION:

Councilmembers Hart/Secord to approve the recommendations; Contract No. 20,431.

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

PARKS AND RECREATION DEPARTMENT

18. SUBJECT: ESTABLISH POLICY AND FEES FOR RESERVATION USE OF STORKE PLACITA (570.05)

RECOMMENDATION: That Council:

- A. Establish formal policy for reservation use of Storke Placita that includes types and frequency of uses, vendor and informational booths, selling of merchandise, and permitting requirements; and
- B. Establish facility use fees for reservation use of Storke Placita.

DOCUMENTS:

October 12, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Assistant Parks and Recreation Director Nancy Rapp.

MOTION:

Councilmembers Blum/Hart to approve the recommendations.

VOTE:

Majority voice vote (Noes: Councilmember Garcia; Absent: Councilmember Roberts).

**REQUESTS FROM THE PUBLIC**

19. SUBJECT: REQUEST FROM "FUND AMERICA" FOR WAIVER OF FEES FOR FUNDRAISING EVENT RELATED TO SEPTEMBER 11, 2001, TERRORIST ATTACKS (570.05)

RECOMMENDATION: That Council approve and authorize the Parks and Recreation Director to waive application and special event facility reservation fees for the November 11, 2001, "Fund America" event in support of relief efforts related to the terrorist attacks in New York and Washington, D.C., providing recommended event conditions adopted by Council are met.

Cont'd)

19. (Cont'd)

DOCUMENTS:

- October 3, 2001, letter from Nikki Simon.
- October 12, 2001, Acting City Administrator's report.
- October 15, 2001, memorandum from Clear Channel Communications.

SPEAKERS:

- Member of the Public: Nikki Simon.
- Staff: Parks and Recreation Director Richard Johns.

MOTION:

Councilmembers Secord/Hart to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

**ORDINANCES FOR INTRODUCTION**

20. SUBJECT: SOLID WASTE COLLECTION AGREEMENTS (630.01)

RECOMMENDATION: That Council:

- A. Receive a report from staff on the results of the Request for Proposals process for the new Solid Waste Collection and Disposal Agreements;
- B. Approve and authorize the City Administrator to execute an agreement with BFI Waste Systems of North America for Solid Waste Collection and Disposal services for a ten-year period commencing June 7, 2003;
- C. Approve and authorize the City Administrator to execute an agreement with MarBorg Industries for Solid Waste Collection and Disposal services for a ten-year period commencing June 7, 2003;
- D. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara, Approving a Ten-Year Agreement with BFI Waste Systems of North America, for Solid Waste Collection and Disposal in the City of Santa Barbara; and
- E. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara, Approving a Ten-Year Agreement with MarBorg Industries, for Solid Waste Collection and Disposal in the City of Santa Barbara.

(Cont'd)

20. (Cont'd)

DOCUMENTS:

- October 12, 2001, Acting City Administrator's report.
- Proposed Ordinances.

SPEAKERS:

- Staff: Principal Civil Engineer Homer Smith.
- Member of the Public: Bud Laurent, Community Environmental Council.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations; Agreement Nos. 20,432 and 20,433.

VOTE:

Unanimous voice vote (Absent: Councilmember Roberts).

**ORDINANCES FOR ADOPTION**

21. SUBJECT: AIRPORT REGULATIONS (560.01)

RECOMMENDATION: That the City Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Repealing Chapter 18.04 in its Entirety and Adding a New Chapter 18.04 and by Amending Chapters 18.08, 18.12, 18.16, 18.18, 18.20, 18.24, 18.28, 18.32, 18.36, 18.40 and 18.44 Pertaining to the Santa Barbara Airport and the Use of Aircraft Within the City of Santa Barbara. (Introduced on October 9, 2001)

DOCUMENTS:

- Previous documents submitted October 9, 2001.
- Proposed Ordinance.

MOTION:

Councilmembers Secord/Blum to approve the recommendation; Ordinance No. 5203.

VOTE:

Unanimous roll call vote (Absent: Councilmember Roberts).

ADJOURNMENT

Mayor Miller adjourned the meeting at 4:34 p.m., to Thursday, October 18, 2001, at 11:30 a.m. for a presentation of "The City Forecast."

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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HARRIET MILLER  
MAYOR

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SUSAN TSCHECH  
DEPUTY CITY CLERK