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Subject
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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
January 23, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:03 p.m.
The Finance and Ordinance Committees, which are 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, Tom Roberts, Dan B. Secord, Mayor Miller.

Councilmembers absent: None.

Staff present: City Administrator/Clerk Sandra Tripp-Jones, City
Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT:

1. No one wished to speak.

180.03

CONSENT CALENDAR Item Nos. 2 6)

MOTION:

Councilmembers Roberts/Secord to approve the consent
calendar as recommended.

VOTE:

Unanimous voice vote.

2. Re: MINUTES Recommendation that Council waive the reading and approve the minutes of the special meeting of January 8, 2001 and the regular meeting of January 9, 2001.

Concurred with the recommendation.

3. Re: POSITION AND SALARY CONTROL RESOLUTION AFFECTING THE

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PUBLIC WORKS DEPARTMENT Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 00-054, the Position and Salary Control Resolution for Fiscal Year 2000-2001, Affecting the Public Works Department Effective January 27, 2001.

Concurred with the recommendation; Resolution No. 01-003 January 19, 2001 City Administrator's report).

410.06
x
530.01
Admin., Pol. & Proc.

4. Re: DESTRUCTION OF POLICE DEPARTMENT RECORDS
Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Destruction of Certain Records Held by the Police Department.

Concurred with the recommendation; Resolution No. 01-004 January 19, 2001 City Administrator's report).

160.06
X
520.04
Admin., Pol. & Proc.

5. Re: BRAEMAR SEWAGE LIFT STATION MODIFICATIONS SURGE TANK ADDITIONS Recommendation that Council accept the work completed by Lash Construction, Inc., Contract No. 19,732, for the Braemar Sewage Lift Station Modifications Surge Tank Additions 1999 Project, Bid No. 3246, in the final contract amount of \$208,460.33, including approved changes, and approve filing of a Notice of Completion.

Concurred with the recommendation January 19, 2001
(City Administrator's report).

540.13
Sewer Const., Maint., & Repair

Notices to be filed:

6. that the City Clerk has on Friday, January 19, 2001 at 3:00 p.m., duly posted this agenda in the Office of the City

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Clerk and on the City Hall Public Notice Board on the outside balcony of City Hall.

This completed the Consent Calendar.

ADMINISTRATIVE REPORTS:

Community Development Department

7. Re: FINAL COMMUNITY PRIORITY DESIGNATION FOR 620 LAGUNA STREET Recommendation that Council grant a Final Community Priority Designation per Santa Barbara Municipal Code 28.87.300 and allocate 480 square feet of floor area for the proposed addition of an office space for the Clean Water and Creeks Restoration Program of the City Parks and Recreation Department at 620 Laguna Street.

DOCUMENTS:

January 19, 2001 City Administrator's report.

SPEAKERS:

Staff: Community Development Director David D. Davis.

MOTION:

Councilmembers Roberts/Secord to concur with the recommendation.

VOTE:

Unanimous voice vote.

640.09

Non. Res. Bldg. Approval
Econ. Devel. & Comm. Priority Desig.)

- 8. Re: NOAH'S ANCHORAGE COMMUNITY DEVELOPMENT BLOCK GRANT Recommendation that Council authorize the assignment of Noah's Anchorage Community Development Block Grant Contract #19,899 to Channel Islands YMCA for operation of the Santa Barbara Youth Shelter in the amount of \$12,500 for the period January 1 June 30, 2001.

DOCUMENTS:

January 19, 2001 City Administrator's report.

SPEAKERS:

Staff: Community Development Programs Supervisor Mark V. Taylor.

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MOTION:

Councilmembers Secord/Roberts to concur with the recommendation; Contract No. 20,126.

VOTE:

Unanimous voice vote.

610.05
CDBG Prog.

Public Works Department

9. Re: REDUCTION IN ELECTRICAL ENERGY USE Recommendation that Council:
- A. Receive a presentation from staff on the status of the City of Santa Barbara's Energy Conservation Program; and
 - B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Endorsing the Governor of California's Request for a Reduction in Electrical Energy Use and a Commitment to Conservation.

DOCUMENTS:

January 19, 2001 City Administrator's report.
January 23, 2001 photocopies of Power Point presentation by Water Supply Planner William Ferguson.
Proposed Resolution.

RECESS:

2:11 p.m. 2:15 p.m.

9. Cont'd):

SPEAKERS:

Staff: Water Supply Planner William W. Ferguson, City Administrator Sandra Tripp-Jones, Public Works Director David H. Johnson, City Attorney Daniel Wallace.
Southern California Edison: Ernie Villegas.

MOTION:

Councilmembers Fairly/Secord to temporarily suspend City Council evening sessions until there is a resolution to the emergency.

DISCUSSION:

City Attorney Daniel Wallace reported that no action could be taken on the motion and that it should be placed on another agenda.

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MOTION:

Councilmembers Fairly/Secord to direct staff to include an item on the next regular Council agenda for

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Delaware Corporation, Doing Business as Cox Communications Santa Barbara, and the City of Santa Barbara For Use of Conduit on Stearns Wharf.
Introduced on January 16, 2001 as Bill No. 5195.)

DOCUMENTS:

Previous documents submitted January 16, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Roberts to concur with the recommendation; Ordinance No. 5175.

VOTE:

Unanimous roll call vote.

510.04
Cable TV Misc.
X
570.03
Admin., Pol. & Proc.

12. Re: AMENDMENT TO THE MUNICIPAL CODE REGARDING THE SELECTION PROCESS FOR POLICE POSITIONS Recommendation that Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Section 3.16.200 Pertaining to the Certification of Eligibles for the City Police Department.
Introduced on January 16, 2001 as Bill No. 5196.)

DOCUMENTS:

Previous documents submitted January 16, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Roberts to concur with the recommendation; Ordinance No. 5176.

VOTE:

Unanimous roll call vote.

450.01

RECESS:

3:28 p.m. 3:35 p.m.

CLOSED SESSIONS:

13. Re: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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Recommendation from the City Attorney 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 Harz v. Zell, et al. and related cross-actions, USDC Case No. SA CV 98-808 AHS ANx).

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

January 12, 2001 City Attorney's report.

Closed Session held 3:35 p.m. 4:00 p.m.; Councilmember Fairly absent due to a conflict of interest. At the beginning of the evening session of the meeting, City Attorney Daniel Wallace stated that no reportable action had been taken during the Closed Session.

160.03
Closed Sessions

14. Re: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Recommendation from the City Attorney 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. In re Margaret Hause and Juanita Ullemeyer v. City of Santa Barbara Case No. 1035230 Santa Barbara Superior Court.

Scheduling: Duration, 30 minutes; afternoon preferred

DOCUMENTS:

January 12, 2001 City Attorney's report.

Closed Session held 4:00 p.m. 4:30 p.m.; all members present. At the beginning of the evening session of the meeting, City Attorney Daniel Wallace stated that no reportable action had been taken during the Closed Session.

160.03
Closed Sessions

15. Re: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Recommendation from the City Attorney 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 Stearns Wharf Company, etc., et al. v. Southern California Edison Company,

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etc., et al., SBSC No. 1002806.

Scheduling: Duration: 20 minutes; anytime

DOCUMENTS:

January 19, 2001 City Attorney's report.

Closed Session held 4:30 p.m. 4:45 p.m.; all members present. At the beginning of the evening session of the meeting, City Attorney Daniel Wallace stated that no reportable action had been taken during the Closed Session.

160.03
Closed Sessions

RECESS:

4:45 p.m. 6:01 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Roberts, Secord, Mayor Miller.

Staff present: City Administrator/Clerk Tripp-Jones, City Attorney Wallace, Deputy City Clerk Alcazar.

The City Council reconvened in the City Council Chamber. City Attorney Daniel Wallace made a report regarding the Closed Sessions, Item Nos. 13 15 see report under each item).

PUBLIC COMMENT:

16. Elias Magana, Vicky Meneses, Alfonso Garcia, Zoila Cabrera, Cruzito H. Cruz and Nancy McCradie spoke.

180.03

REQUEST FROM THE PUBLIC:

17. Re: FRANCESCHI HOUSE AND PARK Request from the Pearl Chase Society that Council approve a proposal that the Pearl Chase Society be authorized to raise funds and restore Franceschi House with financial contribution from the City.
Staff recommendation that Council:
- A. Hear a proposal from the Pearl Chase Society for the rehabilitation of Franceschi House;
 - B. Conceptually approve the Pearl Chase Society's proposal to raise funds and restore Franceschi House;

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- C. Direct staff to develop an agreement between the Pearl Chase Society and the City for restoration of Franceschi House with provisions which include:

\$300,000
balance
projec
secured
is
abandoned

1) City funding in support of project not to exceed \$150,000 at the time the agreement is executed and fifty percent of the funding goal is achieved and the completed environmental review);

2) Requirement that contributions and pledges be fully before commencement of construction;

3) Requirement that in the event the Pearl Chase Society unable to raise project funds, the project will be all donated funds returned; and

4) Commitment to raising an endowment fund of \$250,000;

D. Direct staff and the Park and Recreation Commission to return to Council within 90 days with a Franceschi House Restoration project description including the house usage for purposes of environmental review;

E. Direct staff and the Park and Recreation Commission to develop and return to Council with the scope of work for the Franceschi Park Master Plan, with a schedule and estimated costs to complete; and

F. Authorize the Park and Recreation Commission to appoint a Franceschi Park Master Plan Advisory Committee to assist with the development of a Franceschi House Restoration Project and the Franceschi Park Master Plan.

DOCUMENTS:

October 18, 2000 letter and proposal from Pearl Chase Society President Edward Cella and Chief Financial Officer Roger Horton.

January 16, 2001 letter from Pearl Chase Society President Edward Cella

January 19, 2001 City Administrator's report.

May 9, 2000 letter from Dr. Gianvittorio Perniciaro.

September 18, 2000 letter from John Maloney.

October 15, 2000 letter from Christine Toxietto Cavallero.

October 16, 2000 letter from Lanny Ebenstein.

October 17, 2000 letter from C. Seybert Kinsell.

October 28, 2000 letter from Marshall A. Rose.

October 30, 2000 letter from Ugo L. Melchiori.

November 1, 2000 letters from Celeste DeBortoli; Catherine Gaughen, Government Relations Director, Santa Barbara Region Chamber of Commerce; Dennis Paulazzo; Emma T. Romero.

November 2, 2000 letter from Christopher S. Proctor.

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November 6, 2000 letter from Elinor G. A. Langer.
November 7, 2000 card from Nancy Withington.
November 7, 2000 e-mail communication from Ann Dwelley.
November 7, 2000 letter from Amanda Clark and Frank J. Frost.
November 9, 2000 letters from Richard Bickle; Hugo M. Perez.
November 24, 2000 letter from Robert G. and Jane A. Forsyth.
November 26, 2000 letter from Letitia Harper.
November 28, 2000 letter from Susan Tracy.
December 10, 2000 letter from Richard D. and Katherine B. Godfrey.
December 12, 2000 letter from Carol Kenyon, Chair, Visual Art in Public Places Committee.
December 14, 2000 e-mail communication from Councilmember Dan Secord.
December 14, 2000 letter from Brigitte Forssell, President, The Riviera Association.
December 15, 2000 e-mail communication from Parks and Recreation Director Richard Johns.
December 20, 2000 letters from Pearl Chase Society President Edward Cella and Chief Financial Officer Roger Horton.
December 27, 2000 letter from Joan M. Livingston.
December 29, 2000 e-mail communication from William Howard Wittausch.
January 5, 2001 letter from Walter E. Hopmans.
January 10, 2001 letter from Cathy Rose.
January 12, 2001 e-mail communications from Jim Lichtman; Gary and Kate Belanger.
January 15, 2001 letter from James N. Gamble, Chairman, Gamble House Advisory Committee.
January 16, 2001 letters from Karen Miller; Mr. & Mrs. Max Ruston; Louis R. Goluck; Shirley Eiseman.
January 17, 2001 letters from Brigitte Forssell,

President, The Riviera Association; Shirley E. Roby;
Wendy Hawksworth.
January 18, 2001 e-mail communications from Caren
Rager; William G. Troiano; Susan Chamberlin.
January 18, 2001 letter from Dennis and Dianne
Kimbrough.
January 19, 2001 e-mail communications from Richard B.
Johnston; Diane and Morrie Seidler; Lisa Lunsford.
January 19, 2001 e-mail communication from unnamed
person, hiJBob@webtv.net.

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January 19, 2001 letter from Lynne and Peter Abbey.
January 20, 2001 e-mail communication from Robert P.
and Dianne E. Miles.
January 20, 2001 letter from Jerry Sortomme, Chair,
Santa Barbara City College Environmental Horticulture.
January 21, 2001 e-mail communication from James H.
Wellman, Founder/CEO, Wildlife Protection, Inc.
January 22, 2001 Interoffice Memo from Fire Chief
Warner McGrew.
January 22, 2001 letters from Virginia L. Comer; Paul
Poirier, submitted by Rosminah Brown.
January 23, 2001 e-mail communications from Keith and
Neil Coffman-Grey; Marsha Zilles; Fal Oliver; Vijaya
Jammalamadaka.
January 23, 2001 letters from Roy Harthorn; Kathleen
Boyle Brewster; Catherine McCammon, President of the
Citizens Planning Association.
January 23, 2001 written comments from Paul Lamberton,
Shirley Roby, David Green, Sandra Hotchkiss.
Undated letters from Robin Bisio-Bortolazzo; Kathleen
Frost; Joyce W. Johnson; Christopher Clayton and Laurel
McCauley; Vincent Cavallero.
Undated list of questions submitted by Laura Techentin.
Undated Riviera Association Questionnaire" submitted
by Bridget Forssell.

SPEAKERS:

Pearl Chase Society: President Edward Cella, Chief Financial Officer Roger Horton, Barbara Lowenthal, Elinor Langer, Larry Crandell, Planning Consultant Laura Bridley, Joan M. Livingston, Robert Maxim, Seybert Kinsell, Rick Closson, John Poucher.

Staff: City Administrator Sandra Tripp-Jones, Parks and Recreation Director Richard Johns, Landscape Architect/Project Planner William Goodnick, Fire Chief Warner McGrew.

Park and Recreation Commission: Commissioners Beebe Longstreet and Linda Hughes.

Historic Landmarks Commission: Don Sharp, Chair.

Members of the public: Rob Hughes, Franceschi Park Foundation; The Riviera Association & Neighborhood: Dianne Channing, Brigitte Forssell, Frank Hotchkiss, Loyd Applegate, Marianne Gordin, and Joe Campanelli; John S. Richards, Denise McIntosh, Margery Baragona, Caren Rager, Sam Romano, Bill Stewart, Maureen M. Masson, Sid Smith, Adrienne A. Davis, Jim Lichtman,

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Peter Abbey, Steve Hausz, Susan Chamberlin, Kellam deForest, Mary Louise Days, Rosminah Brown.

MOTION:

Councilmembers Hart/Roberts to concur with the recommendations.

VOTE:

Unanimous voice vote.

570.05
Parks E-H
Franceschi Park)

ADJOURNMENT:

Mayor Miller adjourned the meeting at 9:16 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

HARRIET MILLER
MAYOR

ATTEST:

BRENDA ALCAZAR
DEPUTY CITY CLERK

consideration of the temporary suspension of City
Council evening sessions.

VOTE:

Majority voice vote Noes: Councilmember Roberts).

MOTION:

Councilmembers Garcia/Secord to concur with the
recommendations; Resolution No. 01-005.

VOTE:

Unanimous roll call vote.

630.06
Admin.

REQUEST FROM THE PUBLIC:

10. Re: SANTA BARBARA SOUTH COAST COMMUNITY INDICATORS PROJECT
Request from Eric Sonquist, 2001 Steering Committee
Chairperson, to present the 2000 Santa Barbara South Coast
Community Indicators Project Report to the City Council.

DOCUMENTS:

January 2, 2001 e-mail communication from Eric
Sonquist.
2000 Santa Barbara South Coast Community Indicators
report.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones.
2001 Steering Committee: Chairperson Eric Sonquist;
Dr. Bill Watkins, Executive Director, Economic Forecast
Project.

By consensus, the Council received the presentation.

230.06

ORDINANCES FOR ADOPTION:

11. Re: COX LICENSE AGREEMENT FOR CABLE TELEVISION AT STEARNS

WHARF Recommendation that Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Fifty-Year License Agreement Between Coxcom, Inc., a