



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 5, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

### CEREMONIAL ITEMS

1. SUBJECT: LETTER OF RECOGNITION NAMING BARRY SPACKS POET LAUREATE FOR THE CITY OF SANTA BARBARA (120.04)

#### SPEAKERS:

Members of the Public: Susan Keller, Chair of the Poet Laureate Committee; Barry Spacks.

ACTION: Letter of recognition presented to Barry Spacks.

## CEREMONIAL ITEMS

### 2. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARD PINS (410.01)

RECOMMENDATION: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through April 30, 2005.

#### DOCUMENTS:

April 5, 2005, report from the Assistant City Administrator.

#### SPEAKERS:

Staff: City Administrator James L. Armstrong, who mentioned that Fire Chief Warner McGrew served 35 years as of April 1, and will be recognized later this month.

ACTION: Approved the recommendation. The following employees were recognized:

#### 20-Year Pin

Charles McChesney, Police Officer, Police  
Charles Ayala, Automotive/Equipment Technician, Parks and Recreation

#### 15-Year Pin

Kevin Bryant, Fire Captain, Fire  
William MacDuffee, Fire Engineer, Fire  
James McCoy, Fire Captain, Fire  
Jon Otsuki, Fire Engineer, Fire  
Anthony Pighetti, Fire Engineer, Fire  
Alan Reitz, Firefighter, Fire  
Heidi Rockenbach, Fire Engineer, Fire  
Dan McGrew, Police Officer, Police  
Zebedee Stephens, Equipment Operator, Parks and Recreation

#### 5-Year Pin

Brenda Alcazar, Deputy City Clerk, Administrative Services  
Rudolph Moreno, Maintenance Worker II, Public Works  
Martin Valencia, Maintenance Worker II, Public Works  
Kim Frith, Electronics/Communications Technician I, Public Works  
Robert Jacobs, Waterfront Maintenance Worker I, Waterfront

## PUBLIC COMMENT

SPEAKERS: Betty Jeppesen, Rick Feldman, and Bubbha.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Horton reported on his attendance at a meeting of the Board of Santa Barbara County Housing Trust Fund and said that they raised \$2,000,000 in private capital which will be used for workforce housing.
- Councilmember Schneider mentioned that tomorrow is the 1<sup>st</sup> in a five-part series of the Santa Barbara City College Adult Education Forums called No Place Like Home; it will be held at 6:00 p.m. at the Marjorie Luke Theatre, located at the Santa Barbara Junior High School.
- Councilmember Falcone mentioned that she, along with Councilmembers Barnwell, Schneider, Williams and Horton, attended the opening reception for the Wall of Witness exhibit, sponsored by the Santa Barbara Rape Crisis Center.
- Councilmember Williams stated that the Santa Barbara Progressive Coalition is sponsoring a forum on the living wage at the Franklin Community Center tomorrow evening.
- Councilmember Horton said that he and Councilmembers Barnwell and Williams attended the annual State of the Museum Address; Santa Barbara Natural History Museum Executive Director Karl L. Hutterer spoke and presented information on the museum's new features.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **INFORMATION:**

- Councilmember Schneider mentioned that she and other Councilmembers attended a celebration honoring Selma Rubin's 90<sup>th</sup> birthday.
- Councilmember Barnwell said that the Ambassador to Chile will be at Alameda Park on April 21, at 11:00 a.m., to dedicate memorial stones in honor of Gabriela Mistral.
- Mayor Blum stated that the month of April is National Poetry Month; there will be various activities around the City. She also mentioned that she presented a proclamation to Mended Hearts, Inc., for their 30<sup>th</sup> anniversary.

## **CONSENT CALENDAR** (Item Nos. 3 – 7, and 10)

The titles of the ordinances pertaining to Item Nos. 4 and 5 were read.

### **MOTION:**

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

### **VOTE:**

Unanimous roll call vote.

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of March 22, 2005.

ACTION: Approved the recommendation.

4. SUBJECT: ADOPTION OF ORDINANCE AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTERS 9.48 - SELLING MERCHANDISE AND 9.12 - PARADE PERMITS AND REGULATIONS (520.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 9.48 of the Municipal Code Pertaining to the Selling of Merchandise on City Streets, Amending Chapter 9.12 of the Municipal Code Relating to Parades and Other Similar Events and Repealing Section 15.16.015 of Chapter 15.16 of the Santa Barbara Municipal Code.

ACTION: Approved the recommendation; Ordinance No. 5350.

5. SUBJECT: ADOPTION OF ORDINANCES FOR TWO-YEAR POLICE OFFICERS ASSOCIATION MOU AND FOUR-YEAR POLICE MANAGEMENT ASSOCIATION MOU (440.02)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers' Association; and
- B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Management Association.

ACTION: Approved the recommendations; Ordinance Nos. 5351 and 5352; Agreement Nos. 21,690 and 21,691.

6. SUBJECT: GRANT FOR CALIFORNIA SEAT BELT COMPLIANCE (530.05)

RECOMMENDATION: That Council:

- A. Accept \$24,994 from the State of California Office of Traffic Safety for the California Seat Belt Compliance Campaign to be implemented by the Police Department, and authorize the Chief of Police to execute the grant agreement; and
- B. Increase Fiscal Year 2005 Miscellaneous Grants Fund estimated revenue and appropriations in the amount of \$24,994.

ACTION: Approved the recommendations; Agreement No. 21,692 (April 5, 2005, Police Chief's report).

7. SUBJECT: CONTRACT FOR TRAVEL LIFT PIER DESIGN MODIFICATIONS (570.03)

RECOMMENDATION: That Council:

- A. Authorize the Waterfront Director to execute a professional services contract with Bengal Engineering, Inc. (Bengal), in the amount of \$29,970 for design services for the Travel Lift Pier Modifications; and
- B. Authorize the Waterfront Director to approve expenditures of up to \$2,970 for extra services of Bengal that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,693 (April 5, 2005, Waterfront Director's report.)

Item Nos. 8 and 9 appear in the Redevelopment Agency minutes.

### NOTICES

10. The City Clerk has on Thursday, March 31, 2005, 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.

This concluded the Consent Calendar.

## **ORDINANCE COMMITTEE AND FINANCE COMMITTEE REPORTS**

### ORDINANCE COMMITTEE

11. SUBJECT: ORDINANCE COMMITTEE AGENDA, APRIL 5, 2005, 12:30 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF DEVELOPMENT OF A SEWER LATERAL INSPECTION ORDINANCE (120.03)
12. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to discuss the proposed draft ordinance for the sewer lateral inspection program. Staff will be holding several meetings with members of the public, organized groups and various City Advisory Committees, and hope to bring this item to the Council in October of this year.

### FINANCE COMMITTEE

13. SUBJECT: FINANCE COMMITTEE AGENDA, APRIL 5, 2005, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE REDEVELOPMENT AGENCY FISCAL YEAR 2005 INTERIM FINANCIAL STATEMENTS FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2005 (SEE CONSENT CALENDAR ITEM NO. 9) (120.03)

14. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee met to consider the Redevelopment Agency Fiscal Year 2005 Interim Financial Statements for the Eight Months Ended February 28, 2005; this item was approved on the Consent Calendar as Item No. 9.

**REDEVELOPMENT AGENCY REPORTS**

Item No. 15 appears in the Redevelopment Agency minutes.

16. SUBJECT: PHASE IV STATE STREET SIDEWALK IMPROVEMENT PROJECT -- ADOPTION OF RESOLUTION OF INTENTION FOR FORMATION OF A BENEFIT ASSESSMENT DISTRICT (290.00)

RECOMMENDATION:

- A. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Order the Construction of Certain Sidewalk Improvements on State Street Within the 400 and 500 Blocks, Pursuant to the Provisions of Santa Barbara Municipal Code Chapter 4.60; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; and Establishing a Time of 2:00 p.m. on Tuesday, ~~May 24~~ June 7, 2005, in the City Council Chambers for a Public Hearing on the 1998 State Street Sidewalk Improvement Assessment District No. 05-01 (Phase IV; 400-500 Blocks);
- B. That the Redevelopment Agency Board designate a maximum of \$500,000 to fund a loan for the initial capital costs and expenses of the Enhanced Project for Phase IV of the State Street Sidewalk Improvement Project, subject to the approval of the benefit assessment district by the affected property owners and, subsequently, the City Council; and
- C. That the Redevelopment Agency Board commit to provide funding in addition to the cost of the Basic Project, if necessary, for any and all cost overruns in constructing the State Street Sidewalk Improvement Project, subject only to a determination by the City Administrator or the Redevelopment Agency Board to cancel the Project in the event of excessive costs.

DOCUMENTS:

- April 5, 2005, report from the Community Development Director/Deputy Director.
- March 31, 2005, Preliminary Engineer's Report for 1998 State Street Sidewalk Improvement Assessment District (Phase IV; 400-500 Blocks).
- Proposed resolution.

(Cont'd)

16. (Cont'd)

The title of the resolution was read.

**SPEAKERS:**

- Staff: Redevelopment Specialist Jason Haber, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Members of the Public: Tom Williams.

**MOTION:**

Council/Agency members Secord/Schneider to approve the recommendations as revised; City Council Resolution No. 05-030.

**VOTE:**

Unanimous roll call vote.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

CITY ADMINISTRATOR

17. SUBJECT: REQUEST FROM COUNCILMEMBER BARNWELL REGARDING A COMPREHENSIVE ENVIRONMENTAL POLICY GUIDELINE (630.02)

RECOMMENDATION: That Council consider the request from Councilmember Brian Barnwell to place an item on a future Council Agenda regarding a Comprehensive Environmental Policy Guideline as part of the General Plan Update.

**DOCUMENTS:**

- April 5, 2005, report from the Assistant City Administrator.
- April 4, 2005, letter from Anita M. Ward.

**SPEAKERS:**

Staff: Community Development Director Paul Casey.

**MOTION:**

Councilmembers Secord/Schneider to discuss this item on a future Council agenda as part of the General Plan Update.

**VOTE:**

Unanimous voice vote.

**RECESS**

The Mayor recessed the meeting at 3:26 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 18. The Mayor stated there would be no reportable action taken during the closed session.

**CLOSED SESSIONS**

- 18. 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 *City of Santa Barbara v. Wilbur Smith & Associates*, Ventura County Superior Court Case No. 226424.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

(Continued from March 29, 2005)

DOCUMENTS:

April 5, 2005, report from the City Attorney.

TIME:

3:28 p.m. – 3:38 p.m. Councilmember Williams was absent.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 3:38 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

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BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK