



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 10, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

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, Dan B. Secord, Mayor Blum.

Councilmembers absent: Roger L. Horton.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Blum recognized the anniversary of the September 11, 2001, tragedy and mentioned the events to take place worldwide to commemorate that infamous day.

Proclamations

1. SUBJECT: PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2002 AS PROSTATE CANCER AWARENESS MONTH (120.04)

ACTION: Proclamation presented to Davis Van Wittenburg, representing the Prostate Cancer Support Group of Santa Barbara.

2. SUBJECT: PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2002 AS PESTICIDE AWARENESS MONTH (120.04)

ACTION: Proclamation presented to Julie Schloss.

SPEAKERS:

Environmental Defense Center: Brian Trautwein.

Presentations

3. SUBJECT: SANTA BARBARA DAY OF CARING AND CHARITABLE GIVING CAMPAIGN (170.01)

RECOMMENDATION: That Council receive a report from the Chairperson and the Co-Chair on the 2002 Santa Barbara Day of Caring and City's Charitable Giving Campaign.

DOCUMENTS:

September 10, 2002, report from the Public Works Director and the Police Chief.

SPEAKERS:

Staff: Public Works Director Anthony Nisich.

By consensus, the Council received the report.

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

RECOMMENDATION: That Council authorize James L. Armstrong, City Administrator, to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through September 30, 2002.

DOCUMENTS:

September 10, 2002, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong, Award Recipient Alexander Southgate.

By consensus, the Council approved the recommendation. The following employees were recognized:

40-Year Pin
Alexander Southgate, Public Works

(Cont'd)

4. (Cont'd)

15-Year Pin

Lou Lazarine, Community Development
Yolanda Gonzalez, Community Development
Noellan Bickham, Library

5-Year Pin

Simon Kiefer, Community Development
Lindsey Baker, Finance
Ron Liechti, Finance
Joseph Avila, Library
Susan Bardick, Parks and Recreation

CHANGES TO THE AGENDA

Item Removed from Agenda

Upon the recommendation of City Administrator James Armstrong, the following item was removed from the agenda:

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

RECOMMENDATION: That Council hold a closed session to consider anticipated litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed. Council will consider whether to initiate litigation: one potential case: *City of Santa Barbara v. County of Santa Barbara*.

Scheduling: Duration, 10 minutes; anytime

PUBLIC COMMENT

SPEAKERS: Robert Ludwick, Tony Harper and Ken Loch.

CONSENT CALENDAR (Item Nos. 5 - 10)

The title of the resolution related to Item No. 8 was read.

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

5. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the special meeting of August 19, 2002, and the regular meeting of August 20, 2002.

ACTION: Approved the recommendation.

6. SUBJECT: NOTICE OF COMPLETION – SPEED HUMPS PROGRAM, FY 2001-2002, PURCHASE ORDER CONTRACT NO. 363583, BID NO. 3335 (530.05)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Inc., Purchase Order Contract No. 363583, Bid No. 3335, for the Speed Humps Program FY 2001-2002 Project, located at Portesuelo Avenue, Red Rose Way, and Robbins Street (see attached Vicinity Map), in the final contract amount of \$36,418, including approved changes, and approve the filing of a Notice of Completion.

ACTION: Approved the recommendation (September 10, 2002, Public Works Director's report).

7. SUBJECT: ELECTRONIC AGENDA MANAGEMENT SYSTEM (170.04)

RECOMMENDATION: That Council:

- A. Authorize the Assistant City Administrator to execute an agreement with Decision Management Company, Inc., for the acquisition and installation of LegisStream, an automated legislative agenda management system, and WorkStream, a workflow and process re-engineering tool (Electronic Agenda Management System) for the City Clerk's Office in an amount not to exceed \$58,161 as authorized by Municipal Code Section 4.52.080(k);
- B. Authorize the Assistant City Administrator to execute a Software Maintenance and Upgrade Agreement with Decision Management Company, Inc., for the Electronic Agenda Management System in an amount not to exceed \$8,889; and
- C. Establish a project budget of \$67,050 in the fiscal year 2003 City Clerk's Division of the Administrative Services Department budget comprised of \$29,500 from unspent prior-year appropriations (Unappropriated Reserves), \$20,000 from the fiscal year 2003 General Fund Appropriated Reserve, and a reallocation of \$17,550 from the existing fiscal year 2003 General Fund Information Systems capital budget.

(Cont'd)

7. (Cont'd)

SPEAKERS:

Staff: City Clerk Services Manager Mabi Covarrubias Plisky.

ACTION: Approved the recommendations; Agreement Nos. 20,773 and 20,774 (September 10, 2002, Assistant City Administrator's report).

8. **SUBJECT: 622 ANACAPA STREET - APPROVAL OF FINAL MAP AND EXECUTION OF AGREEMENTS (640.08)**

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,643 by Bruce Gene Campbell and Samantha Lee Campbell, husband and wife, as community property, located at 622 Anacapa Street, APN 031-151-009, -010, and find the map in conformance with the General Plan and applicable specific plans of the City;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property;
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements;
- D. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Water Extraction Rights for the City and Accepting Interest in Real Property Located at 622 Anacapa Street, APN 031-151-009, -010.

ACTION: Approved the recommendations; Agreement Nos. 20,775 - 20,777; Resolution No. 02-108 (September 10, 2002, Public Works Director's report).

NOTICES

- 9. The City Clerk has on Thursday, September 5, 2002, 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.
- 10. Cancellation of Redevelopment Agency meeting, September 10, 2002, at 2:00 p.m. due to lack of business. (620.01)

This concluded the Consent Calendar.

ORDINANCE COMMITTEE REPORT

11. SUBJECT: ORDINANCE COMMITTEE AGENDA, SEPTEMBER 10, 2002, 1:00 P.M., IN THE COUNCIL CHAMBER (120.03)
 - A. Proposed Amendment to Municipal Code Section 10.60.015 - Reduce Prima Facie Speed Limit on Ontare Road, Sunset Drive to State Street; and
 - B. Vessels Moored or Anchored East of Stearns Wharf.

12. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Gregg Hart reported that the Committee reviewed proposed ordinances to reduce the prima facie speed limit on a portion of Ontare Road, and to regulate vessels moored or anchored east of Stearns Wharf. Both ordinances will be forwarded, with the Committee's approval, to Council for its consideration in the near future.

ORDINANCES FOR INTRODUCTION

13. LEASE AGREEMENT WITH U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to execute a 15-year Lease Agreement (FAA Lease No. DTFA08-02-L-21706) with the U.S. Department of Transportation, Federal Aviation Administration (FAA), for 1.11 acres, more or less, of land for a Remote Transmitter/Receiver (RTR) at the Santa Barbara Municipal Airport, with no monetary consideration; and
- B. Introduce and subsequently 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 U.S. Department of Transportation, Federal Aviation Administration, for 1.11 Acres of Land for a Remote Transmitter/Receiver (RTR) at the Santa Barbara Municipal Airport.

DOCUMENTS:

- September 10, 2002, Airport Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Assistant Airport Director Hazel Johns.

(Cont'd)

13. (Cont'd)

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

14. SUBJECT: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PROGRAM GRANT OFFER FOR SANTA BARBARA MUNICIPAL AIRPORT (560.04)

RECOMMENDATION: That Council:

- A. Accept the FAA Grant offer of \$2,827,053 in Entitlement and up to \$4,192,000 in Discretionary funds for Project No. AIP-3-06-0235-30, to upgrade the Security Access Control System, coal tar slurry on RW 7-25, Phase 1 of the Airline Terminal Expansion and Phase 1 of the Runway 7-25 Safety Area Extension; and
- B. Authorize the City Administrator to execute, on behalf of the City, the subject grant offer of the United States of America through the Federal Aviation Administration, Department of Transportation, to be used in the development of the Santa Barbara Airport.

DOCUMENTS:

September 10, 2002, Airport Director's report.

SPEAKERS:

Staff: Assistant Airport Director Hazel Johns.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendations; Agreement No, 20,778.

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

PUBLIC WORKS DEPARTMENT

15. SUBJECT: CAPITAL IMPROVEMENT PROJECTS ANNUAL REPORT FOR FISCAL YEAR 2001-2002 (230.01)

RECOMMENDATION: That Council receive, for information only, the Capital Projects Annual Report for Fiscal Year 2001-2002.

(Cont'd)

15. (Cont'd)

DOCUMENTS:

September 10, 2002, Public Works Director's report.

SPEAKERS:

Staff: City Engineer Pat Kelly, who showed slides of various capital projects in progress or completed during the last fiscal year.

By consensus, the Council received the report.

PARKS AND RECREATION DEPARTMENT

16. **SUBJECT: PRESENTATION ON PARKS AND RECREATION DEPARTMENT INTEGRATED PEST MANAGEMENT PROGRAM (570.05)**

RECOMMENDATION: That Council hear a presentation from the Parks and Recreation Department on Integrated Pest Management practices in park and golf course maintenance operations.

DOCUMENTS:

- September 10, 2002, Parks and Recreation Director's report.
- PowerPoint presentation made by Staff.
- Letter received September 10, 2002, from representatives of the Pesticide Awareness and Alternatives Coalition and the Environmental Defense Center.

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Jeff Cope, City Administrator James Armstrong.
- Members of the Public: Greg Chittick, Pesticide Awareness and Alternatives Coalition; Phil Boise, Community Environmental Council.

Mayor Blum expressed the Council's appreciation for the presentation.

REQUESTS FROM THE PUBLIC

17. **SUBJECT: REQUEST FROM "IN DEFENSE OF ANIMALS" THAT THE CITY REVISE ITS MUNICIPAL CODE REGULATIONS PERTAINING TO ANIMAL CONTROL TO REPLACE THE WORD "OWNER" WITH THE WORD "GUARDIAN." (520.05)**

DOCUMENTS:

- August 13, 2002, letter from In Defense of Animals.
- September 9, 2002, letter from the California Veterinary Medical Association.

(Cont'd)

17. (Cont'd)

SPEAKERS:

- In Defense of Animals: President Elliot Katz.
- Members of the Public: Gwenyth Snyder; Karen Lee Stevens, All for Animals; Paula Kislak; Diana Basehart, Actors and Others for Animals; John LaPointe and Tara Horne, Santa Barbara Animal Rescue.

MOTION:

Councilmembers Fodayemi/Falcone to refer the issue to the City Attorney to review the legal implications of the proposed change.

VOTE:

Majority voice vote (Noes: Mayor Blum; Absent: Councilmember Horton).

RECESS

3:51 p.m. - 3:53 p.m.

CLOSED SESSIONS

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

RECOMMENDATION: That Council hold a closed session to consider anticipated litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed. Council will consider whether to initiate litigation: one potential case: *City of Santa Barbara v. Anthony Sances, Jr. and Mary Sances*.

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

- September 10, 2002, City Attorney's report.
- September 9, 2002, letter from Steven Amerikaner, attorney representing Anthony and Mary Sances.

TIME:

3:53 p.m. - 4:15 p.m.

RECESS: 4:15 p.m. - 4:16 p.m. The City Council reconvened in the Council Chamber.

ANNOUNCEMENT:

City Attorney Daniel Wallace reported that the City Council met in closed session for Agenda Item No. 18. The Council unanimously authorized legal action necessary to enforce the City's easement rights.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:17 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK