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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
August 29, 2000
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:01 p.m.
The Finance Committee met at 1:30 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 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 Susan Tschech.

CEREMONIAL ITEMS:

To Honor and Give Thanks

Mayor Miller recognized the dedication of the City's permanent
skateboard park, Skater's Point, and acknowledged the memory of
City firefighter Steven Mastro.

120.04

Proclamations

2. Issuance by the Mayor of a proclamation declaring the month of September 2000 as Prostate Cancer Awareness Month.

Proclamation read by Mayor Miller on behalf of the U.S.
Congress of Mayors.

120.04

1. Issuance by the Mayor of a proclamation declaring the month

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of September 2000 as Alcohol and Drug Addiction Recovery
Month.

Proclamation presented to Santa Barbara Rescue Mission
board member Betty Rosness.

120.04

CHANGES TO THE AGENDA:

Item Added Ex Agenda

MOTION:

Councilmembers Roberts/Secord to add as Ex Agenda Item
No. 22) a possible request to Caltrans to delay the
construction of the Ortega Street Bridge, based on the
finding that any action to request changes in the
façade design of this structure must be taken before
the next regular meeting of Council.

VOTE:

Unanimous voice vote.

PUBLIC COMMENT:

3. Ken Loch and Nanci Robertson spoke.
180.03

CONSENT CALENDAR Item Nos. 4 13):

MOTION:

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

VOTE:

Unanimous voice vote.

4. Recommendation that Council waive the reading and approve
the minutes of the regular meeting of August 15, 2000
adjourned for lack of a quorum).

Approved.

5. Recommendation that Council accept the Fiscal Year 2001 Interim Financial Statements for the one month ended July 31, 2000.

Concurred with the recommendation August 25, 2000 City Administrator's report).

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250.02

6. Recommendation that Council declare that Glenna Ewing, a member of the Westside Center Advisory Committee representing Census Tract 10, has vacated her position.

Concurred with the recommendation August 25, 2000 City Administrator's report).

580.03

Westside Center Advisory Comm.

7. Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Accepting the City Clerk's Certificate of Results of the Assessment Ballots Cast with Respect to the State Street Sidewalk Improvement Assessment District No. 1998 Phases II and III; 600-900 Blocks) and Confirming the Absence of a Majority Protest of Affected Property Owners Pursuant to Article XIII D) of the State Constitution.

Concurred with the recommendation; Resolution No. 00-094 August 25, 2000 City Administrator's report).

290.00

State Street Sidewalks

8. Recommendation that Council:
- A. Accept a grant from the U.S. Bureau of Reclamation in the amount of \$15,000, for developing and implementing the Green Gardener Certification Program; and
 - B. Increase the estimated 2000-2001 Water Fund Revenues by \$15,000, and appropriate the same to the 2000-2001 Water Fund Operating Budget.

Concurred with the recommendations August 25, 2000 City Administrator's report).

540.05

9. Recommendation that Council:
 - A. Authorize the City Administrator to execute a contract with Carollo Engineers (Carollo) for professional services for the preparation of the Sheffield Pump Station Variable Drive Contract Documents, at a total fee not to exceed \$39,358; and
 - B. Authorize the Public Works Director to approve extra services of the contractor that may result from

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necessary changes in the scope of work, at a total amount not to exceed \$3,900.

Concurred with the recommendations; Agreement No. 20,036 August 25, 2000 City Administrator's report).

540.06
Pumping

10. Recommendation that Council approve and authorize the City Administrator to execute a month-to-month License Agreement with the Stearns Wharf Business Association regarding the installation and maintenance of six coin-operated viewing telescopes at specific locations on Stearns Wharf.

Concurred with the recommendation; Agreement No. 20,037 August 25, 2000 City Administrator's report).

330.08
X
570.03
Admin., Pol. & Proced.

Notices to be filed:

11. that the City Clerk has on Friday, August 25, 2000 at 3:00 p.m., duly 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.
12. of Finance Committee meeting, August 29, 2000 at 1:30 p.m. in Room 15 for consideration of the July 31, 2000 Investment Report and the June 30, 2000 Fiscal Agent Report.
- 120.03
Finance Comm.
13. of cancellation of the regular City Council meeting of September 5, 2000 due to lack of a quorum.
- 120.09

This completed the Consent Calendar.

BUSINESS CONSIDERED EX AGENDA:

22. Recommendation that Council:

- A. Add an ex-agenda item to today's Agenda to consider requesting a delay in the construction of the Ortega

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Street Bridge;

- B. Request Caltrans to delay for three weeks the concrete pouring of the Ortega Street Bridge Ramp(s) which include façade design;
- C. Direct ABR to meet and provide to Caltrans and to City Council specific façade design recommendations; and
- D. Authorize reimbursement to Caltrans for documented costs of this construction and authorize the City Administrator to negotiate and execute a reimbursement agreement with Caltrans.

DOCUMENTS:

August 29, 2000 report from Councilmember Garcia.
Petition submitted by Juana Barbosa.

SPEAKERS:

Staff: City Engineer Pat Kelly, City Administrator
Sandra Tripp-Jones.
Architectural Board of Review: Vice-Chair Alex Pujo.
Members of the Public: Beebe Longstreet; Bruce
Rittenhouse, Westside Community Group; Juana Barbosa.

NOTE: Recommendation A was acted upon earlier when the Council voted to add this item to the Agenda.

MOTION:

Councilmembers Roberts/Blum to take no action on recommendations B D and direct that the project proceed without delay.

VOTE:

Majority voice vote Noes: Councilmembers Garcia,
Hart, Secord).

530.04

Sidewalk Const., Maint. & Repair

REPORT FROM FINANCE COMMITTEE:

14. Report from the Finance Committee.

Finance Committee Chair Dan Secord reported that the Committee had reviewed the July 31, 2000 Investment Report and the June 30, 2000 Fiscal Agent Report. He suggested that Council take action on these matters at this time (Agenda Item No. 15).

ADMINISTRATIVE REPORTS:

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Finance Department

15. Recommendation that Council:

- A. Accept the July 31, 2000 Investment Report; and
- B. Accept the June 30, 2000 Fiscal Agent Report.

DOCUMENTS:

August 25, 2000 City Administrator's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Roberts to concur with the recommendations.

VOTE:

Unanimous voice vote.

260.02

Public Works Department

16. Recommendation that Council:

- A. Receive a presentation from staff regarding the results of the public opinion survey conducted to rate the acceptance of proposed residential recycling programs that are necessary to meet Assembly Bill 939 AB939);
- B. Approve the implementation of a new residential green waste program that would be conducted using 95-gallon wheeled carts for curbside pick up one day every other week;
- C. Approve the implementation of a new residential commingled recycling program that would be conducted using 95-gallon wheeled carts for curbside pick up one day every other week;
- D. Direct staff to negotiate with BFI the cost of implementing the new residential green waste and commingled recycling programs and return to Council

with appropriate changes to the City's Solid Waste Collection and Disposal Agreement with BFI; and

- E. Direct staff to renegotiate, with BFI, the City Fee Resolution which establishes Maximum Rates for Pickup and Disposal of Refuse by the City's Franchisee, to include the necessary fee increases in a manner that provides incentive to the customer to recycle.

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DOCUMENTS:

August 25, 2000 City Administrator's report.
August 18 and 22, 2000 letters from BFI Waste Systems.
August 29, 2000 letter from MarBorg Industries.
Comments of Colleen Kelly made by telephone to the
Mayor and Council Office.

SPEAKERS:

Staff: Principal Civil Engineer Diane Gabriel,
Assistant City Attorney Robert Pike, City Administrator
Sandra Tripp-Jones, Deputy City Administrator Peter
Wilson.
Integrated Recycling, Inc.: Partner John McInnes.
Members of the Public: Steve Cushman; Patrick DeRueda,
BFI Waste Systems; Mario Borgatello, MarBorg
Industries.

MOTION:

Mayor Miller/Councilmember Hart to take no action on
recommendations B or C; approve the expansion of the
existing program to provide weekly pickup of
residential commingled recyclables; concur with
recommendations D and E as they relate to the expanded
recyclables program; and direct Staff to work with BFI
and the Solid Waste Committee to develop options for
the increased collection of green waste.

VOTE:

Unanimous voice vote.

630.01
Administration

CHANGES TO THE AGENDA:

Items Continued to Future Meeting

Councilmembers agreed to continue the following items to a future
meeting:

17. Recommendation that Council:

- A. Accept the FAA Grant Offer of \$270,000 in Airport Improvement Program Funds for Project No. AIP-3-06-0235-25 Part 150 Noise Compatibility Study Update; 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

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used in the development of the Santa Barbara Airport.
560.14

18. 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 Harz v. Zell, et al., United States District Court Case No. SACV-98-808-AHS ANx).

Scheduling: Duration, 10 minutes; anytime
160.03
Closed Sessions

20. PUBLIC EMPLOYEE PERFORMANCE EVALUATION--GOVERNMENT CODE
SECTION 54957 Title: City Administrator.

Scheduling: Duration: 1 hour; anytime
170.01
Administration

RECESS:

4:52 p.m. 5:05 p.m.

CLOSED SESSIONS:

19. PUBLIC EMPLOYEE PERFORMANCE EVALUATION--GOVERNMENT CODE
SECTION 54957 Title: City Attorney.

Scheduling: Duration: 1 hour; anytime

DOCUMENTS:

August 25, 2000 report from Mayor Miller.

Closed Session held 5:05 p.m. 5:10 p.m.;
Councilmember Fairly was absent. Following the closed session referred to in Agenda Item No. 21, Mayor Miller reported that the Council had expressed satisfaction with all aspects of the City Attorney's performance.

21. CONFERENCE WITH LABOR NEGOTIATOR recommendation from the City Administrator that Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Joan Kent regarding negotiations with the Treatment and Patrol Officers bargaining unit and the General Employees bargaining unit of the Service Employees'

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International Union, Local 620.
Scheduling: Duration, 30 minutes; anytime

DOCUMENTS:
August 25, 2000 City Administrator's report.

Closed Session held 5:10 p.m. 5:33 p.m.;
Councilmember Fairly was absent. After a brief recess,
City Attorney Daniel Wallace announced that no
reportable action was taken during the closed session.
440.05

RECESS:

5:33 p.m. 5:34 p.m. The City Council reconvened in the Council
Chamber. Mayor Miller reported on the Closed Session, Item No.
19. City Attorney Daniel Wallace reported on the Closed Session,
Item No. 21.

ADJOURNMENT:

Mayor Miller adjourned the meeting at 5:36 p.m.

SANTA BARBARA CITY COUNCIL MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

HARRIET MILLER SUSAN TSCHECH
MAYOR DEPUTY CITY CLERK