



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 26, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance and Ordinance Committees met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Blum honored Cesar Chavez and stated that individuals and organizations will be celebrating his life and work on April 1, 2002.

Proclamations

1. PROCLAMATION DECLARING THE MONTH OF MARCH 2002 AS MEDIATION MONTH (120.04)

SPEAKERS:

Rental Housing Mediation Task Force: Honorary Mediator Silvio DiLoreto, Reynaldo Ybarra.

ACTION: Proclamation presented to Andrea Bifano, Senior Rental Housing Mediation Specialist, and Silvio DiLoreto, Honorary Mediator.

2. PROCLAMATION DECLARING THE YEAR 2002 AS YEAR OF THE HENRIETTA MARIE EXHIBIT (120.04)

ACTION: Proclamation read.

PUBLIC COMMENT

SPEAKER: Kathiann Brown.

CONSENT CALENDAR (Item Nos. 3 – 12)

The title of the resolution related to Consent Calendar Item No. 4 was read.

MOTION:

Councilmembers Hart/Horton to waive further reading of the resolution related to Consent Calendar Item No. 4.

VOTE:

Unanimous voice vote.

MOTION:

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

VOTE:

Unanimous voice vote.

3. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2002 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2002 Interim Financial Statements for the Eight Months Ended February 28, 2002.

ACTION: Approved the recommendation (March 26, 2002, Finance Director's report).

4. SUBJECT: RESOLUTION TO REQUEST CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT (SB 332) FUNDS (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit a Funding Request Form to the California Department of Conservation's Division of Recycling for California Beverage Container Recycling and Litter Reduction Act (SB 332) Funding.

ACTION: Approved the recommendation; Resolution No. 02-038 (March 26, 2002, Public Works Director's report).

5. SUBJECT: FEASIBILITY STUDY AND PRELIMINARY DESIGN PLAN FOR THE RESTORATION OF THE ARROYO BURRO ESTUARY (540.14)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services contract with URS Corporation in the amount of \$99,435 to conduct a feasibility study and prepare preliminary design plans for the restoration of the Arroyo Burro Estuary; and
- B. Increase appropriations and estimated revenues by \$195,000 in the Creeks Restoration and Water Quality Improvement (Measure B) Capital Fund based on an awarded grant from the California Coastal Conservancy.

ACTION: Approved the recommendations; Contract No. 20,538 (March 26, 2002, Parks and Recreation Director's report).

6. SUBJECT: ADDITIONAL FUNDS FOR HARBOR VESSEL PUMP-OUT FACILITY INSTALLATION, CONTRACT NO. 97-101-353 (570.03)

RECOMMENDATION: That Council authorize the City Administrator to execute and return contract amendment 4 to the State Department of Boating and Waterways Grant Contract No. 97-101-353, regarding the Vessel Pump-out Station Installation, which will increase the grant funding from \$44,000 to \$55,000.

ACTION: Approved the recommendation; Contract No.19,737.4 (March 26, 2002, Public Works Director's report).

7. SUBJECT: TWO-YEAR LICENSE AGREEMENT WITH ALIOTTI FISH COMPANY (330.08)

RECOMMENDATION: That Council approve a two-year license agreement with Aliotti Fish Company, Inc., for a squid unloading operation at the City Pier, in the Santa Barbara Harbor, for a minimum fee of \$1,000 per month during the November through March squid fishing season.

ACTION: Approved the recommendation; Agreement No. 20,539 (March 26, 2002, Waterfront Director's report).

8. SUBJECT: AMENDED LICENSE AGREEMENT WITH SIGNATURE PARKING COMPANY (330.08)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a License Agreement with Signature Parking Company to provide valet parking services at the Waterfront Center building in the Santa Barbara Harbor at a cost of \$10.50 per staff hour.

ACTION: Approved the recommendation; Agreement No. 20,540 (March 26, 2002, Waterfront Director's report).

9. SUBJECT: LEGISLATIVE REPORT (160.02)

RECOMMENDATION: That Council take the following action regarding legislative matters:

- A. **SUPPORT AB 1821 (Lowenthal)**, which would provide protection from civil liability to individuals or entities that donate fire protection apparatus or equipment to a volunteer fire organization;
- B. **SUPPORT HR 1919 (Castle) and S. 1516 (Santorum)**, which would provide protection from civil liability to individuals or entities that donate fire protection apparatus or equipment to a volunteer fire organization;
- C. **SUPPORT AB 2351 (Canciamilla)**, which would make changes to required minimum penalties for specified violations of water discharge permits;
- D. **SUPPORT SB 2057 (O'Connell)**, which would establish penalties for making a false report to an agency or official responsible for conducting search and rescue;
- E. **OPPOSE AB 1890 (Horton)**, which would require that an employee organization appoint half of the members of a Civil Service Commission or similar entity; and
- F. Authorize the Mayor to send letters to and, as needed, contact legislators, the League of California Cities, and other appropriate parties to convey the City's position.

ACTION: Approved the recommendations (March 26, 2002, City Administrator's report).

NOTICES

- 10. The City Clerk has on Friday, March 22, 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.
- 11. Finance Committee meeting, March 26, 2002, at 1:00 p.m. in Room 15 for consideration of:
 - A. Contract for Independent Audit Services for the City's Annual Financial Statements for the Fiscal Years Ending June 30, 2002, 2003, and 2004; and
 - B. Investment Report.(120.03)
- 12. Ordinance Committee meeting, March 26, 2002, at 1:00 p.m. in the Council Chamber for consideration of Tobacco Retailer Licensing Ordinance and Update to Smoking Ordinance. (120.03)

This concluded the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

13. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee met to consider a contract for the audit of the City's annual financial statements and to receive the February 2002, Investment Report, which will be presented to Council for approval (see Item No. 15).

ADMINISTRATIVE REPORTS

FINANCE DEPARTMENT

15. SUBJECT: FEBRUARY 2002 INVESTMENT REPORT (260.02)

RECOMMENDATION: That Council accept the February 2002 Investment Report.

DOCUMENTS:

March 26, 2002, Finance Director's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmember Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES (Cont'd)

14. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Gregg Hart reported that the Committee met to discuss the proposed tobacco retailer licensing ordinance and agreed to forward it to Council. The Committee also met to consider amendments to the existing smoking ordinance and will be conducting an additional hearing prior to forwarding it to Council.

ADMINISTRATIVE REPORTS (Cont'd)

PUBLIC WORKS DEPARTMENT

16. SUBJECT: RESOLUTION SUPPORTING EXTENDED COMPUTER AND ELECTRONICS PRODUCER RESPONSIBILITY (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Urging Computer and Other Electronics Producers to Take Responsibility for Reuse and Recycling of Their Products.

DOCUMENTS:

- March 26, 2002, Public Works Director's report.
- Proposed Resolution.

The title of the Resolution was read.

MOTION:

Councilmembers Hart/Falcone to waive further reading of the resolution.

VOTE:

Unanimous voice vote.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES (Cont'd)

13. (Cont'd)

Finance Committee Chair Dan Secord stated that the Committee decided to retain the auditor (see Item 11A).

MOTION:

Councilmembers Falcone/Fairly to retain the auditor for the next cycle.

VOTE:

Unanimous voice vote.

ADMINISTRATIVE REPORTS (Cont'd)

16. (Cont'd)

SPEAKERS:

Staff: Principal Civil Engineer Homer Smith, Solid Waste Specialist Stephen MacIntosh.

MOTION:

Councilmembers Secord/Fairly to approve the recommendation; Resolution No. 02-039.

VOTE:

Unanimous roll call vote.

AIRPORT DEPARTMENT

17. SUBJECT: 2001 AIRPORT ECONOMIC IMPACT STUDY PRESENTATION (560.01)

RECOMMENDATION: That Council receive a presentation by Bill Watkins, Ph.D., Executive Director of the UCSB Economic Forecast Project, regarding the 2001 Santa Barbara Airport Economic Impact Study.

DOCUMENTS:

March 26, 2002, Airport Director's report.

SPEAKERS:

- Staff: Airport Director Karen Ramsdell.
- University of Santa Barbara: Dr. Bill Watkins, Executive Director, Economic Forecast Project.

ACTION:

The Council received the presentation.

ORDINANCE FOR INTRODUCTION

18. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 16,354 AND LEASE AGREEMENT NO. 16,355/OLD WHARF TRADING COMPANY (330.04)

RECOMMENDATION: That Council:

- A. Find The Chandlery on the Breakwater, Inc., a tenant in good standing for the purposes of assigning the leases;
- B. Reduce the lease assignment fee from \$3,000 to \$250 since the corporation assigning the lease has the same ownership as the corporation accepting the lease assignment;
- C. Approve and authorize the City Administrator to execute a Consent to Assignment of Lease Agreement No. 16,354 for Old Wharf Trading Company, 217-A and 217-B Stearns Wharf, and a Consent to Assignment of Lease Agreement No. 16,355, 217-E and 217-F Stearns Wharf, from The Chandlery on the Breakwater, Inc., to Old Wharf Trading Company, Inc.; and
- D. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Consent to Assignment of Lease Agreement No. 16,354 for Old Wharf Trading Company, 217-A and 217-B Stearns Wharf, and a Consent to Assignment of Lease Agreement No. 16,355, 217-E and 217-F Stearns Wharf, from The Chandlery on the Breakwater, Inc., to Old Wharf Trading Company, Inc.

(Cont'd)

18. (Cont'd)

DOCUMENTS:

- March 26, 2002, Waterfront Director's report.
- Proposed Ordinance.

SPEAKERS:

Staff: Waterfront Director John Bridley.

The title of the ordinance was read.

MOTION:

Councilmembers Secord/Blum to waive further reading of the ordinance.

VOTE:

Unanimous voice vote.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations.

VOTE:

Unanimous voice vote.

ORDINANCES FOR ADOPTION

19. **SUBJECT: LEASE MODIFICATION WITH COAST GUARD AID TO NAVIGATION BRANCH (330.04)**

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Modification of Contract that will Reduce the United States Coast Guard's Leased Space on Stearns Wharf from 100 Square Feet to Nine Square Feet, and Reduce the Rent Payment from \$200 per Month to \$1 per Year. (Introduced on March 19, 2002)

DOCUMENTS:

- Previous documents submitted March 19, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Fairly/Horton to approve the recommendation; Ordinance No. 5224; Contract No. 20,541.

VOTE:

Unanimous roll call vote.

20. SUBJECT: AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT WITH BDC GATEWAY ASSOCIATES, LLC (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the First Amendment to Disposition and Development Agreement No. 19,872 Between the City of Santa Barbara and BDC Gateway Associates, LLC, a California Limited Liability Company. (Introduced on March 19, 2002)

DOCUMENTS:

- Previous documents submitted March 19, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Secord/Horton to approve the recommendation; Ordinance No. 5225; Agreement No. 19,872.1.

VOTE:

Unanimous roll call vote.

21. SUBJECT: LEASE AGREEMENT WITH AG RX, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council 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 Ag Rx, an Agricultural Supply Distributor, for Offices and Storage at the Santa Barbara Municipal Airport. (Introduced on March 19, 2002)

DOCUMENTS:

- Previous documents submitted March 19, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Horton/Falcone to waive further reading of the ordinance.

VOTE:

Unanimous voice vote.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendation; Ordinance No. 5226; Agreement No. 20,542.

VOTE:

Unanimous roll call vote.

RECESS

2:45 p.m. – 2:55 p.m.

PUBLIC HEARINGS

22. SUBJECT: SIGN APPLICATION APPEAL (640.07)

RECOMMENDATION: That Council deny the appeal and uphold the Architectural Board of Review and Sign Committee denial of La Salsa Restaurant located in Five Points Shopping Center (3987-D State Street), making the finding that there are insufficient grounds to support an exception to the Sign Ordinance and Sign Program for Five Points Shopping Center.

DOCUMENTS:

- March 26, 2002, Community Development Director's report.
- February 20, 2002, letter of appeal from Steven E. Rosenbloom.

PUBLIC HEARING OPENED:

2:55 p.m.

SPEAKERS:

- Staff: Senior Planner I Jaime Limón.
- Sign Committee: Stanley Bloom.
- Architectural Board of Review: Commission Silvia Ronchietto.
- Appellant: Steven Rosenbloom, agent for La Salsa Restaurant; Tim Jones, Santa Barbara Restaurant Group.

PUBLIC HEARING CLOSED:

3:28 p.m.

MOTION:

Councilmembers Fodayemi/Secord to approve the appeal.

VOTE:

Majority voice vote (Ayes: Councilmembers Fairly, Falcone, Fodayemi, Secord; Noes: Councilmembers Hart, Horton, Mayor Blum).

RECESS

3:31 p.m. – 6:00 p.m.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Fodayemi, Hart, Horton, Secord, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wallace, Deputy City Clerk Alcazar.

PUBLIC COMMENT

No one wished to speak.

PUBLIC HEARINGS

23. SUBJECT: COMMUNITY DEVELOPMENT AND HUMAN SERVICES
COMMITTEE FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2002-2003
(610.05)

RECOMMENDATION: That Council:

- A. Receive a Committee and Staff presentation on the Community Development and Human Services Committee (CDHSC) Funding Recommendations for Fiscal Year 2002-2003;
- B. If there are no changes, approve the funding recommendations of the CDHSC for FY 2002-2003 CDBG and Human Services funds;
- C. Authorize the City Administrator to negotiate and execute agreements implementing the funding recommendations; and
- D. Authorize the Mayor to sign any necessary documents to submit the Community Development Block Grant Consolidated Action Plan to the Department of Housing and Urban Development (HUD).

DOCUMENTS:

- March 26, 2002, Community Development Director's report.
- March 2002, Community Development/Human Services Committee Report on Funding Recommendations FY 2002-2003.

PUBLIC HEARING OPENED:

6:01 p.m.

SPEAKERS:

- Staff: Community Development Programs Supervisor Mark Taylor.
- Rental Housing Mediation Task Force: Reynaldo Ybarra.
- Members of the Public: Executive Director Rebecca Robertson, Domestic Violence Solutions; Regional Director Davida Willis, Catholic Charities; Friendship Center: Dan Mendoza, Executive Director Heidi Holly; Director Bill Batty, Family Service Agency of Santa Barbara; Vice President Scott McCann, Planned Parenthood; Development Director Melinda Macdonald, Court Appointed Special Advocates; Sara Rowland, representative for CALM and SART; Craig Harris, Coalition to Provide Shelter and Support to Santa Barbara Homeless; Executive Director Marsha Bailey, Women's Economic Ventures; Board of Director's Vice President Inge Gatz, Friendship Center; Executive Director Jerry Schwartz; Jennifer Sanchez, Santa Barbara Family Care Center; Director Rick Politte, Santa Barbara YMCA; Juan Carlos Curriel, Parks and Recreation Youth Apprentice Program; Santa Barbara Rape Crisis Center: Executive Director Elsa Granados, Arcelia Sención; Jason Bryan; Lu Gilbert;

(Cont'd)

23. (Cont'd)

SPEAKERS (Cont'd):

- Members of the Public (Cont'd): Ron Perry, Legal Aid Foundation of Santa Barbara; Director Fran Forman, Community Action Commission; Executive Director William Campbell, Noah's Anchorage YMCA; United Boy's and Girl's Club: Sal Rodriguez, Diane McCutchen; Executive Director Ann Marie Cameron, Mental Health Association; City @ Peace: Director Nancy Davis, Lidia Bravo; Executive Director Dr. Gary Linker, New Beginnings Counseling Center.

PUBLIC HEARING CLOSED:

6:49 p.m.

MOTION:

Councilmembers Fodayemi/Secord to approve the recommendations; Agreement Nos. 20,543 – 20,587.

VOTE:

Unanimous voice vote.

Based on the previous action, Council approved allocation of funding as follows:

<u>AGENCIES/PROGRAMS</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>Public/Human Service:</u>		
Aids Housing Santa Barbara (Sarah House)	\$ 26,000	20,543
Catholic Charities (Emergency Housing)	38,000	20,544
Child Abuse Listening Mediation (Bilingual Treatment)	29,000	20,545
Child Abuse Listening Mediation (SART)	25,000	20,546
City of Santa Barbara – Parks & Recreation (Lower Westside Center)	13,000	
City of Santa Barbara – Parks & Recreation (Youth Apprenticeship)	9,000	
Coalition to Provide Shelter/Support (Homeless Day Center)	25,000	20,547
Community Action Commission (Child Development)	27,000	20,548
Community Action Commission (Senior Nutrition)	26,000	20,549
Community Kitchen	50,000	20,550
Community Mediation Program (City @ Peace)	9,500	20,551
Court Appointed Special Advocates	12,000	20,552
Domestic Violence Solutions for Santa Barbara City (Domestic Violence)	10,000	20,553

(Cont'd)

23. (Cont'd)

<u>AGENCIES/PROGRAMS</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>Public/Human Service (Cont'd):</u>		
Domestic Violence Solutions for Santa Barbara City (Emergency Shelter)	\$ 60,000	20,554 & 20,555
Domestic Violence Solutions for Santa Barbara City Second Stage)	6,500	20,556
Family Service Agency (Big Brothers/Big Sisters)	10,000	20,557
Family Service Agency (CRIS/Help Line)	19,000	20,558
Family Service Agency (Homemaker)	7,000	20,559
Foodbank	22,000	20,560
Foodbank (Brown Bag)	7,000	20,561
Friendship Center (Adult Day Care)	25,000	20,562
Independent Living Resource Center	31,500	20,563
Legal Aid (Emergency Legal Services)	53,000	20,564 & 20,565
Long Term Care Ombudsman (Ombudsman Advocacy)	20,000	20,566
Mental Health Association of SB (Fellowship Club)	10,250	20,567
Noah's Anchorage YMCA (Youth Crisis Shelter)	28,000	20,568
Pacific Pride (Necessities of Life)	10,000	20,569
Planned Parenthood (Health Education)	14,500	20,570
Primo Boxing	24,298	20,571
Pueblo Storyteller (Children's Center)	33,000	20,572
Salvation Army (Job Club)	9,500	20,573
S.B. Counseling Center (Senior Peer Counseling)	7,000	20,574
S.B. Family Care Center (Centro Infantil)	20,000	20,575
S.B. Family YMCA (Child Care)	10,000	20,576
S.B. Rape Crisis Center	25,000	20,577
S.B. School District (Peabody Child Care)	6,000	20,578
Transition House (Homeless Services)	44,000	20,579
Transition House (Homeless Prevention)	9,000	20,580
United Boy's & Girl's Club (Westside-SMART Moves)	10,000	20,581
Wilderness Youth Project (Young Eagles)	10,000	20,582
SUBTOTAL – Public/Human Service	\$ 831,048	

23. (Cont'd)

<u>AGENCIES/PROGRAMS</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>Capital:</u>		
Domestic Violence Solution for Santa Barbara City (Capital)	\$ 17,800	20,583
Family Service Agency (S.A.I.L.)	38,800	20,584
Girl's Incorporated (Capital)	25,000	20,585
United Boy's & Girl's Club (Westside – Capital)	16,700	20,586
Women's Economic Ventures (Small Business Loan Fund)	34,500	20,587
City of Santa Barbara – Parks & Recreation (Carrillo Recreation Center)	40,150	
City of Santa Barbara – Community Development (Housing Rehabilitation)	694,522	
SUBTOTAL – Capital	\$ 867,472	
<u>Administration/Fair Housing:</u>		
City of Santa Barbara (Administration)	\$ 210,910	
City of Santa Barbara (Fair Housing)	11,101	
City of Santa Barbara (Rental Housing Mediation)	172,222	
SUBTOTAL – Administration/Fair Housing	\$ 394,233	
GRAND TOTAL	\$2,092,753	

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:50 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK