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Subject
Reference

CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
February 15, 2000
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 met at 1:00
p.m.)

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.

CHANGES TO THE AGENDA:

Item Removed from Agenda

At the request of City Administrator Sandra Tripp-Jones, the
following item was removed from the agenda:

26. 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 Marcos A. Sanchez v. City of Santa Barbara, et al., SBSC No. 230286.

Scheduling: Duration, 10 minutes; anytime

160.03
Closed Sessions

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PUBLIC COMMENT:

1. Any member of the public may address the City Council for up to one 1) minute on any subject matter within the jurisdiction of the City Council that is not scheduled before them that same day. The total time for public comment is fifteen 15) minutes. If you wish to address the City Council under this item, please complete and deliver to the City Administrator/City Clerk before the afternoon session is convened, a Request to Speak" form including a description of the subject you wish to address.

No one wished to speak.

180.03

CONSENT CALENDAR Item Nos. 2 13):

MOTION:

M/S Garcia/Secord to approve the Consent Calendar, as follows:

VOTE:

Unanimous voice vote All present).

2. Minutes of the adjourned regular meeting of January 29, 2000 and the regular meeting of February 1, 2000. Dispense with reading and approve.

Approved.

3. Recommendation that Council:
 - A. Authorize the City Administrator to negotiate and execute an amendment to Contract No. 19522 with Wilbur Smith Associates, to include development of an alternative concept plan for Lot 6 in response to comments from the City Planning and Historic Landmarks Commissions, in an amount not to exceed \$35,000;
 - B. Authorize the Public Works Director to increase extra services for necessary changes to the scope of service to a total amount not to exceed \$8,500; and
 - C. Suspend the Request for Proposals process for the surplus land fronting Anapamu Street for 60 days, pending analysis of suggestions regarding the design of the proposed parking structure made by the Planning Commission (PC) and Historic Landmarks Commission (HLC).

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Concurred with recommendations; authorized City Administrator to execute Amendment No. 3 to Consultant Services Agreement No. 19,522, filed as Agreement No. 19,843 February 11, 2000 City Administrator's report).

550.05
 Parking North of Carrillo

4. Recommendation that Council:
 - A. Authorize the City Administrator to execute and award a contract with Tierra Contracting in their low bid amount of \$945,009.75 for construction of the Fiscal Year 1999-2000 Sewer Main Replacement and Rehabilitation Project, Bid No. 3238;
 - B. Authorize the Public Works Director to approve expenditures up to \$95,000.00 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid

quantities and actual measured quantities for payment;
and

- C. Authorize the General Services Manager to issue a purchase order with Martyn Field Services, in an amount not to exceed \$4,000.00 for construction material testing.

Concurred with recommendations; authorized City Administrator to execute Contract No. 19,844 February 11, 2000 City Administrator's report).

540.13

Sewer Const., Maint. & Repair

5. Recommendation that Council accept the work completed by Schock Contracting Corporation under Contract No. 19,601, for the Tallant Road Sewer Lift Station, Bid No. 3135, in the final contract amount of \$72,230, and that a Notice of Completion be filed for the project.

Accepted; Notice of Completion ordered filed February 11, 2000 City Administrator's report).

540.13

Sewer Const., Maint. & Repair

The following notices were presented and ordered filed:

6. that the City Clerk has on Friday, February 11, 2000 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.

7. that the adjourned regular meeting of the City Council scheduled for Monday, February 14, 2000 at 10:00 a.m. at the Chase Palm Park Recreation Center, 236 East Cabrillo Boulevard, was cancelled.

120.09

8. that the City Council held a special meeting on Monday, February 14, 2000 at the Chase Palm Park Recreation Center, 236 East Cabrillo Boulevard, to consider the proposed application to annex Goleta.

150.04
Goleta Incorp./Annexation
9. of Finance Committee meeting, February 15, 2000 at 1:00 p.m. in Room 15 for consideration of the Fiscal Year 2000 Mid-Year Report.

120.03
Finance Comm.
10. of Ordinance Committee meeting, February 15, 2000 at 1:00 p.m. in the Council Chamber for consideration of a proposed moratorium and additional regulation of outdoor vending machines.

120.03
Ordinance Comm.
11. of Redevelopment Agency meeting, February 15, 2000 at 2:00 p.m. in the Council Chamber.

620.03
Agendas
12. of joint City Council/Redevelopment Agency meeting, February 15, 2000 at 2:00 p.m. to consider Item No. 25 on the Council Agenda and Item No. 2 on the Redevelopment Agency Agenda.

620.03
Agendas
13. of cancellation of the regular City Council meeting of March 14, 2000 due to lack of a quorum.

120.09

This completed the Consent Calendar.

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RECESS: 2:05 p.m. 2:06 p.m., during which time the first portion of the Redevelopment Agency meeting was held.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION:

The City Council and the Redevelopment Agency convened in joint session at 2:06 p.m.

CLOSED SESSIONS:

25. 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 City of Atascadero, et al. v. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al., Case No. C96 00718, Contra Costa County Superior Court.

Scheduling: Duration, 15 minutes; afternoon preferred
To be considered with Redevelopment Agency Agenda Item No. 2)

CITY COUNCIL DOCUMENTS:

February 11, 2000 City Attorney's report.

REDEVELOPMENT AGENCY DOCUMENTS:

February 11, 2000 Agency Counsel's report recommending that the Redevelopment Agency Board 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 City of Atascadero, et al. v. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al., Case No. C96 00718, Contra Costa County Superior Court.

Closed Session held 2:06 p.m. 2:14 p.m.; all members present. After a brief recess, City Attorney/Agency Counsel Daniel Wallace announced that no reportable action was taken during the closed session.

160.03
Closed Sessions
260.04

RECESS: 2:14 p.m. 2:15 p.m.

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The City Council/Redevelopment Agency reconvened in the City Council Chamber. City Attorney/Agency Counsel Daniel Wallace made a report regarding the Closed Session, Item No. 25 see report under that item).

The City Council and Redevelopment Agency joint session concluded at 2:16 p.m. The Redevelopment Agency meeting was adjourned at 2:16 p.m. The Council meeting remained in session.

MAYOR AND COUNCIL MATTERS:

21. Recommendation that Council hold interviews of applicants to various City Advisory Groups.
Continued from February 8, 2000, Item No. 28)

DOCUMENTS:

Previous documents submitted February 8, 2000.

SPEAKERS:

The following applicants were interviewed:

Arts Advisory Committee:

Dianne Baltramaitis
Cassandra D. Ensberg
Paul C. Lamberton

Civil Service Commission:

Susan Rothman
Ethel Trione

Community Development and Human Services Committee:

Jerome M. Harris
Karena Jew
Joanne Miller
Susan Rothman
Barbara Tzur

Community Events and Festivals Committee:

Murill Forrester
Tom Morey
Cora Lynn Patton
Alvaro C. Rojas, Jr.

Douglas Family Preserve Advisory Committee:

Rachel Couch

Downtown Parking Committee:

Larry Buchanan
Fire and Police Commission:
Thomas Medel
Mary O'Gorman

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Historic Landmarks Commission:
Kellam de Forest
Donald G. Sharpe
Lawrence E. Thompson
Housing Authority Commission:
Terry M. Nelson
Library Board:
Margery Baragona
Park and Recreation Commission:
Jessica Alice Kinnahan
Susan Rothman
Planning Commission:
Pete Ehlen
Joseph Guzzardi
Public Access Advisory Committee:
Dusty Miller
Hisham Mosely
Rental Housing Mediation Task Force:
Sue Adele Bailey
Margery Baragona
Annette L. Hilliard
William McCormack
Susan Rothman
Reynaldo R. Ybarra
Sign Committee:
Carol Kenyon
Water Commissioners, Board of:
George C. Aldana
Kathleen Kate) Rees
Westside Center Advisory Committee:
Rosalina M. Palacios

Additional interviews were conducted during the evening session of the meeting.

140.05

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES:

14. Report from the Finance Committee.

Finance Committee Chair Dan Secord reported that the Committee had reviewed the Fiscal Year 2000 Mid-Year Report; he suggested that Council take action on this matter at this time Agenda Item No. 16).

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ADMINISTRATIVE REPORTS:

Finance Department

16. Recommendation that Council:

- A. Receive the Fiscal Year 2000 mid-year report;
- B. Accept the Interim Financial Statements for the Six Months Ended December 31, 1999;
- C. Approve the adjustments to appropriations and estimated revenues in the Fiscal Year 2000 budget as presented in the Summary of Recommended Mid-Year Budget Adjustments; and
- D. Approve, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 99-050, the Position and Salary Control Resolution for Fiscal Year 1999-2000, Affecting the Parks & Recreation Department and the Police Department Effective February 15, 2000.

DOCUMENTS:

February 11, 2000 City Administrator's report, including the following documents:

Summary of Proposed Mid-Year Adjustments.
Interim Financial Statements for the Six Months
Ended December 31, 1999.
Proposed Resolution.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

READING WAIVED:

Following reading of the agenda item, including the title of the resolution, further reading was waived by unanimous consent of Council.

MOTION:

M/S Secord/Fairly to concur with the recommendations and adopt Resolution No. 00-007.

VOTE:

Unanimous roll call vote All present).

The Council concurred with the recommendation of City Administrator Sandra Tripp-Jones that Item Nos. 17 and 18 be considered together.

230.04

250.02

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ADMINISTRATIVE REPORTS:

Public Works Department

17. Recommendation that Council:

- A. Authorize the City Administrator to execute an amendment to Cooperative Agreement Number 19,643 with the Santa Barbara County Association of Governments (SBCAG) for Construction of Milpas Street at U.S. Highway 101;
- B. Appropriate \$235,630 from the Measure D Program Fund

Reserves to the 1999-2000 Measure D Fund Operating Budget to cover the City portion of additional costs identified in the proposed amendment to Cooperative Agreement Number 19,643 and anticipated engineering staff charges to administer the completion of project construction including the Art Element;

- C. Increase the Streets Capital Program Fund estimated 1999-2000 revenues by \$120,649.48 and appropriate the same to the 1999-2000 Street Capital Fund Operating Budget to reflect anticipated reimbursement by SBCAG for the right of way; and
- D. Hear a report from staff regarding the City's and SBCAG's public information program.

DOCUMENTS:

February 11, 2000 City Administrator's report.

670.07

Hwy 101/Milpas Interchg.

18. Recommendation that Council:

- A. Find that the option for artistic lighting decorations and for decorative bollards with pedestrian lights for the Milpas Street underpass at U.S. Highway 101, identified in Bid Schedules A' and C', is appropriate and meets the community need for lighting and artistic aesthetics;
- B. Appropriate \$46,096 from the Measure D' Fund Unappropriated Reserves to the 1999-2000 Measure D' Budget to cover the costs of the Artistic Metalwork on Milpas Street;
- C. Authorize the General Services Manager to issue a Purchase Order to Santa Maria Welding, Inc., in their low bid amount of \$136,596, for Schedules A' and C' of the Artistic Metalwork on Milpas Street, Bid

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- No. 3271; and
- D. Authorize the General Services Manager to approve expenditures up to \$9,500 to cover any increases that may result from contract change orders for extra work.

DOCUMENTS:

February 11, 2000 City Administrator's report, including diagrams showing the proposed artistic pole attachment and a pergola/railing design.
February 15, 2000 letters from the Santa Barbara Arts Consortium; Santa Barbara Magazine; Mid-State Bank; Santa Barbara Bowl.

SPEAKERS:

Staff: City Engineer Pat Kelly, Public Works Director David Johnson, City Administrator Sandra Tripp-Jones.
Arts Advisory Committee: Member Cass Ensberg.
Visual Arts in Public Places Committee: Member Carol Kenyon.
Members of the Public: Patrick Davis, Santa Barbara Arts Consortium; Douglas Howard, Eastside Study Group.

MOTION:

M/S Garcia/Hart to concur with the recommendations for Agenda Item No. 18, revised as follows, and direct Staff to submit the project to the Visual Arts in Public Places Committee for final review:

- A. Schedules A' and C'"D", is appropriate with addition of pergola entrance,
- B. Appropriate \$46,09683,910
- C. low bid amount of \$136,596168,410, for Schedules A' and C'"D" and
- D. approve expenditures up to \$9,50015,500

VOTE:

Approved by voice vote Ayes: Blum, Fairly, Garcia, Hart, Mayor Miller; Noes: Roberts, Secord).

MOTION:

M/S Secord/Garcia to concur with the recommendations for Agenda Item No. 17 and authorize the City Administrator to execute Amendment Agreement No. 19,845.

VOTE:

Approved by voice vote Noes: Roberts; All present).

670.07

Hwy 101/Milpas Interchg.

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CHANGES TO THE AGENDA:

Items Continued

The Council agreed to continue the following items to February 22, 2000:

15. Report from the Ordinance Committee.
 19. Recommendation that the Council receive, for information only, the Capital Projects Second Quarter Update for Fiscal Year 1999-2000.
- 230.01

CLOSED SESSIONS:

27. CONFERENCE WITH REAL PROPERTY NEGOTIATOR recommendation from the City Attorney that Council hold a closed session pursuant to California Government Code 54956.8 to consider instructions to negotiators and take appropriate action as needed regarding City real property bounded by Hollister Avenue, Lopez Road, Botello Road and Love Place, Santa Barbara County, California. The City's negotiator is Mrs. Karen Ramsdell. Negotiations will be with Mr. Jeff Bermant and Bermant Development Company. Under negotiation are the price and terms of a lease of real property.
Scheduling: Duration, 15 minutes; anytime

DOCUMENTS:

February 11, 2000 City Attorney's report.

SPEAKERS:

Bermant Development Company: Jeff Bermant.

After a brief recess, the Council convened in closed session.

330.03
General

RECESS: 4:54 p.m. 5:00 p.m.

Closed Session held 5:00 p.m. 5:30 p.m.; all members present. At the beginning of the evening session, City

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Attorney Daniel Wallace announced that no reportable action was taken during the closed session.

RECESS: 5:30 p.m. 6:03 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Roberts (6:18 p.m.), Secord, Mayor Miller.

Councilmembers absent: None.

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

The City Council reconvened in the City Council Chamber. City Attorney Daniel Wallace made a report regarding the Closed Session, Item No. 27 (see report under that item).

PUBLIC COMMENT:

28. Any member of the public who did not address the City Council during the 2:00 p.m. session may address the City Council for up to one 1) minute on any subject matter within the jurisdiction of the City Council that is not scheduled before them that same day. The total time for public comment is fifteen 15) minutes. If you wish to address the City Council under this item, please complete and deliver to the City Administrator/City Clerk before the evening session is convened, a Request to Speak" form including a description of the subject you wish to address.

Fred H. Kuhlmann and Scott Wenz spoke.

180.03

MAYOR AND COUNCIL MATTERS:

21. Recommendation that Council hold interviews of applicants to various City Advisory Groups. (Continued from afternoon session)

SPEAKERS:

The following applicants were interviewed:

Architectural Board of Review:
Jeffrey Gorrell
Historic Landmarks Commission:
Karl Eberhard
Park Commission:
David Gress
Planning Commission:

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Karl Eberhard

One additional interview was held following consideration of
Agenda Item No. 29.

140.05

REQUESTS FROM THE PUBLIC:

29. Request from the Santa Barbara No on Proposition 22
Coalition that Council adopt a resolution opposing
Proposition 22 from the March 7, 2000 election ballot.
Staff recommendation that Council review and discuss
Proposition 22, at the request of the Santa Barbara No
on Proposition 22 Coalition, which proposes that only
marriages between a man and a woman are legally binding
in California.

DOCUMENTS:

Undated letter from Robert Hamilton of the Santa
Barbara No on Proposition 22 Coalition, received
January 27, 2000 by the City Administrator's Office.
February 11, 2000 City Administrator's report.
February 3, 2000 letter from the Live Oak Unitarian
Universalist Congregation.
February 14, 2000 e-mail communication from Neil
Coffman-Grey.

SPEAKERS:

Santa Barbara No on Proposition 22 Coalition: Robert Hamilton.
Members of the Public: Beverly King, League of Women Voters of Santa Barbara; Mary O'Gorman; Monica Arrambide, Pacific Pride Foundation; Stephanie Leroux; Rolland Jacks, Citizens for Accountable Government; Ricky Ryan, Calvary Chapel of Santa Barbara; Sandee Beckers; Helene Schneider, Santa Barbara Women's Political Committee; Reverend James E. Grant, The Unitarian Society of Santa Barbara; S. Derrin Watson; Bruce Rittenhouse; Keith Coffman-Grey, Stonewall Democratic Club; Mark Asman; Chris Haskell.

MOTION:

M/S Secord/Blum to take a position opposing Proposition 22.

VOTE:

Approved by voice vote Abstained: Fairly; All

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present).

160.02
Legislation/State

MAYOR AND COUNCIL MATTERS:

21. Recommendation that Council hold interviews of applicants to various City Advisory Groups. Continued from earlier in the evening session)

SPEAKERS:

The following applicant was interviewed:
Harbor Commission:
Peter S. Lufkin

Mayor Miller announced that appointments would be made on February 22, 2000.

ADMINISTRATIVE REPORTS:

Community Development Department

30. Recommendation that Council:

- A. Hold a discussion on the proposed Annexation Application of Goleta to the Local Agency Formation Commission (LAFCO); and
- B. Give direction to staff on the annexation application.

DOCUMENTS:

February 11, 2000 City Administrator's report.
 February 9, 2000 letter from J. B. Micallef.
 February 11, 2000 letter from Citizens Planning Association of Santa Barbara County, Inc.
 February 11, 2000 letter from Concerned Taxpayers, Inc.
 February 15, 2000 letter from Charles D. Kimbell.
 Comments from two residents made by telephone to the Mayor and Council Office.

SPEAKERS:

Staff: Community Development Director David Davis,
 City Administrator Sandra Tripp-Jones.
 Members of the Public: Bruce Rittenhouse; Jim Farr;
 Bruce O'Neal; Jonny Wallis, Goleta Now!; Kitty Bednar;
 Peg Hamister; S. Dorothy Fox; Ken Taylor; Catherine
 McCammon, Citizens Planning Association; Lanny

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Ebenstein; Bud Sprague, Goleta Roundtable; Jack
 Easterbrook, Committee for One; Rob Anderson.

MOTION:

M/S Hart/Secord to direct Staff to prepare an
 application for annexation incorporating the items
 outlined by Staff at the Council meeting of

February 15, 2000 and submit this application for Council action at the afternoon session of the February 22, 2000 meeting.

VOTE:

Unanimous voice vote All present).

150.04

Goleta Incorp./Annexation

REQUESTS FROM THE PUBLIC:

- 20. Request from World Wide Antiques for permission to hold a sidewalk sale in front of its store at 36 East Victoria Street on February 17, 18 and 19, 2000, from 10:00 a.m. to 6:00 p.m. each day.

Staff recommendation that Council approve the request of the World Wide Antiques store for Thursday, Friday and Saturday February 17, 18 and 19), from 10:00 a.m. to 6:00 p.m. each day, to hold a sidewalk sale at 36 East Victoria Street.

DOCUMENTS:

- February 2, 2000 letter from World Wide Antiques.
- February 11, 2000 City Administrator's report.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones.

MOTION:

M/S Roberts/Secord to concur with the Staff recommendation to approve the request, with additional conditions to be imposed as outlined by the City Administrator.

VOTE:

Unanimous voice vote All present).

520.04

Special Events

530.04

Administration

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MAYOR AND COUNCIL MATTERS:

22. Recommendation that Council review and discuss Proposition 13, which proposes a \$1.97 billion water bond to be allocated for drinking water, clean water, watershed program, and flood protection activities. Councilmembers Blum and Fairly)

DOCUMENTS:

February 1, 2000 memorandum from Councilmembers Blum and Fairly.
February 11, 2000 City Administrator's report.

MOTION:

M/S Blum/Fairly to take a position supporting Proposition 13.

VOTE:

Unanimous voice vote All present).

160.02
Legislation/State

23. Recommendation that Council review and discuss Proposition 28, which would repeal a 50 cent surtax on tobacco products enacted last year Proposition 10) to raise money for childhood development programs. Mayor Miller)

DOCUMENTS:

February 1, 2000 memorandum from Mayor Miller.
February 11, 2000 City Administrator's report.

MOTION:

M/S Mayor Miller/Hart to take a position opposing efforts to repeal Proposition 10.

VOTE:

Unanimous voice vote All present).

160.02
Legislation/State

ORDINANCES FOR INTRODUCTION: Public comment will be taken at the time ordinance is considered for adoption)

24. Recommendation that Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to the Cancer Foundation of Santa Barbara, Inc., a

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California Corporation, Lessee of a Portion of Santa Barbara Cottage Hospital at 300 West Pueblo Street, and a Portion of Pueblo Medical Commons at 2320 Bath Street Portions of APNs 025-102-001 and 025-112-020)) for the Proposed Installation of Private Telecommunication Conduits Under a Portion of Bath Street and Authorizing the City Administrator to Execute the Same.

DOCUMENTS:

February 11, 2000 City Administrator's report.
Proposed Ordinance.

READING WAIVED:

Following reading of the agenda item, including the title of the ordinance, further reading was waived by unanimous consent of Council.

MOTION:

M/S Secord/Hart to introduce the ordinance as Bill No. 5163 and authorize the City Administrator to execute the Encroachment Permit, filed as Agreement No. 19,846.

VOTE:

Unanimous voice vote All present).

330.10

ADJOURNMENT:

8:29 p.m., on order of Mayor Miller.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CHIEF DEPUTY CITY CLERK

HARRIET MILLER
MAYOR

ATTEST:

SUSAN TSCHECH
DEPUTY CITY CLERK

