



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 7, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:45 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 Blum.

ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Babatunde Fodayemi, Dan B. Secord, Mayor Blum.

Councilmembers absent: Gregg A. Hart, Roger L. Horton.

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

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING OCTOBER 6 -12, 2003, AS HARBOR AND SEAFOOD FESTIVAL WEEK (120.04)

ACTION: Proclamation presented to Bob Yost, Ben Page Youth Center Executive Director, and Mick Kronman, City Harbor Operations Manager.

2. SUBJECT: PROCLAMATION DECLARING OCTOBER 2003 AS BREAST CANCER AWARENESS AND END DOMESTIC VIOLENCE MONTH (120.04)

ACTION: Proclamation presented to Claudia Chapman, President of the Santa Barbara Chapter of the Soroptimist Club.

3. 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 October 31, 2003.

DOCUMENTS:

October 7, 2003, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong.

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

20-Year Pin

Bill Ferguson, Public Works

15-Year Pin

Mary Rem, Administrative Services
Cynthia Ruano, Administrative Services
Alison Baird, Community Development
Holly Ellis, Police
David Lewis, Public Works

10-Year Pin

Jesus Gaitan, Parks and Recreation

5-Year Pin

Sonia Lopez, Airport
Judith Cook, Parks and Recreation
Salvador Marquez, Public Works

PUBLIC COMMENT

SPEAKERS: Doug Crawford, Nancy Tunnell, Das Williams, Nancy Davis, Gwen Phillips, Brigitte Forssell, Ken Loch and Michael Magne.

CONSENT CALENDAR (Item Nos. 4 – 14)

The titles of all resolutions and ordinances related to Consent Calendar items were read.

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmembers Hart, Horton).

CITY COUNCIL

4. SUBJECT: ADOPTION OF ORDINANCE FOR AGREEMENT FOR DELIVERY OF RECYCLED WATER (540.13)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the User Agreement Between the City of Santa Barbara and Sprint PCS Assets, LLC, for Delivery of the City's Recycled Water to the Sprint PCS Assets, LLC, Irrigation System, Located at 590 and 1500 Las Positas Road, Santa Barbara County Assessor's APN 049-310-0RW and 047-010-049. (Introduced on September 30, 2003)

ACTION: Approved the recommendation; Ordinance No. 5293; Agreement No. 21,154.

5. SUBJECT: ADOPTION OF ORDINANCE FOR LEASE ASSIGNMENT OF DELI SUSHI GO GO (330.04)

RECOMMENDATION: That Council 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. 20,453 to Mr. and Mrs. David Kim. (Introduced on September 30, 2003)

ACTION: Approved the recommendation; Ordinance No. 5294; Agreement No. 21,155.

6. SUBJECT: APPROVAL OF EMPLOYEE BENEFIT PLANS EFFECTIVE JANUARY 1, 2004 (430.06)

RECOMMENDATION: That Council:

- A. Authorize the Assistant City Administrator to negotiate and execute an amendment to the contract with Delta Dental Plan of California (Agreement No. 20,763) to add orthodontia coverage to the City's Delta Preferred Option (DPO) dental plan at the rates specified in Schedule "A";
- B. Authorize the Assistant City Administrator to negotiate and execute a new contract with Golden West Dental for the Pacesetter Dental Plan at the rates specified in Schedule "A";
- C. Authorize the Assistant City Administrator to negotiate and execute an amendment to the contract with Vision Service Plan (VSP) (Agreement No. 20,764) to make the eligibility rules for the City's vision plan consistent with the City's other benefit plans;

(Cont'd)

6. (Cont'd)

- D. Approve renewal of the long-term disability, short-term disability and life insurance programs through the Hartford Life and Accident Insurance Company at the rates specified in Schedules "A" and " B" and Authorize the Assistant City Administrator to negotiate and execute an amendment to the contract with the Hartford Life and Accident Insurance Company to make the eligibility rules for the City's Supplement Life Insurance Program consistent with the City's other benefit plans; and
- E. Approve renewal of the City's Health Care and Dependent Care Flexible Spending Account (FSA) programs at the rates specified in Schedule "A".

ACTION: Approved the recommendations; Agreement Nos. 20,763.1 (recommendation A), 21,156 (recommendation B), 20,764.1 (recommendation C), and 21,157 (recommendation D) (October 7, 2003, Assistant City Administrator's report).

7. SUBJECT: LEASE AGREEMENT WITH MIRAVANT MEDICAL TECHNOLOGIES, INC. (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a month-to-month lease agreement with Miravant Medical Technologies, Inc., a Delaware Corporation, for 10,600 square feet of Building 247, 400 David Love Place, at the Santa Barbara Airport, commencing September 1, 2003, for a total monthly rental of \$7,102, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,158 (October 7, 2003, Airport Director's report).

8. SUBJECT: LEASE AGREEMENTS WITH NAUTRONIX MARIPRO, INC. (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a three-year lease agreement with two, one-year options with Nautronix MariPro, Inc., a California Corporation, for 6,240 square feet of Building 303, and 11,030 square feet of unpaved land at 51 Gerald Cass Place, at the Santa Barbara Airport, commencing August 1, 2003, and ending July 31, 2006, for a monthly rental of \$6,829, exclusive of utilities;
- B. Approve and authorize the Airport Director to execute a three-year lease agreement with two, one-year options with Nautronix MariPro, Inc., a California Corporation, for 16,030 square feet of Building 333, and 11,310 square feet of paved and unpaved land, 1522 Cecil Cook Place, at the Santa Barbara Airport, commencing August 1, 2003, and ending July 31, 2006, for a monthly rental of \$19,679, exclusive of utilities; and

(Cont'd)

8. (Cont'd)

- C. Approve and authorize the Airport Director to execute a three-year lease agreement with two, one-year options with Nautronix MariPro, Inc., a California Corporation, for 11,408 square feet of Building 344, and 46,316 square feet of paved land, 1440 Cecil Cook Place, at the Santa Barbara Airport, commencing August 1, 2003, and ending July 31, 2006, for a monthly rental of \$16,845, exclusive of utilities.

ACTION: Approved the recommendations; Agreement Nos. 21,159 – 21,161 (October 7, 2003, Airport Director's report).

9. SUBJECT: ACCEPTANCE OF GRANT FROM OFFICE OF TRAFFIC SAFETY (520.03)

RECOMMENDATION: That Council:

- A. Accept a grant for \$60,000 from the California Office of Traffic Safety for the purchase of rescue tools; and
- B. Increase appropriations and estimated revenue in the fiscal year 2004 Fire Department Miscellaneous Grants Fund in the amount of \$60,000.

ACTION: Approved the recommendations (October 7, 2003, Fire Chief's report).

10. SUBJECT: CONTRACT FOR AIRPORT SECURITY UPGRADE (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with Glover/Resnick and Associates, Inc. (GRA), in an amount not to exceed \$181,764 for services associated with the Santa Barbara Airport Security Upgrade project; and
- B. Authorize the Public Works Director to approve expenditures up to \$18,176 for extra services of GRA that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,162 (October 7, 2003, Public Works Director's report).

11. SUBJECT: AGREEMENT FOR SETBACK VARIANCE AT 1732 CHAPALA STREET (640.09)

RECOMMENDATION: That Council:

- A. Approve, subject to certain conditions, a request from property owner Jacqueline Estelle Andrews for a building setback variance at 1732 Chapala Street;

(Cont'd)

11. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Authorizing the Public Works Director to Negotiate and Execute a Variance Agreement with Jacqueline Estelle Andrews, Owner of the Real Property at 1732 Chapala Street, APN 027-101-001, with Respect to the Setback Established for Chapala Street by Santa Barbara Municipal Code Section 28.83.037, as Authorized by Santa Barbara Municipal Code Chapter 28.84, and Making the Findings Required Therein, and Providing for Recordation in the Official Records; and
- C. Direct staff to prepare Ordinance amendments for consideration by the Ordinance Committee to eliminate all or portions of the Chapala Street setbacks located between Mission and Anapamu Streets, as established by Santa Barbara Municipal Code Chapter 28.83.037 and 28.83.047.

ACTION: Approved the recommendations; Resolution No. 03-093; Agreement No. 21,163 (October 7, 2003, Public Works Director's report).

12. SUBJECT: MAP AND AGREEMENTS FOR 2316 DE LA VINA STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,662 by De La Vina Development Company, a California Corporation, for a subdivision located at 2316 De La Vina Street, APN 025-113-030, finding 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; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

ACTION: Approved the recommendations; Agreement Nos. 21,164 and 21,165 (October 7, 2003, Public Works Director's report).

13. SUBJECT: ACCEPTANCE OF CONTRIBUTION FROM THE PARKS AND RECREATION COMMUNITY (PARC) FOUNDATION (570.05)

RECOMMENDATION: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$39,500 for Parks and Recreation Department programs; and

(Cont'd)

13. (Cont'd)

- B. Increase appropriations and estimated revenues in the fiscal year 2004 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$39,500.

ACTION: Approved the recommendations (October 7, 2003, Parks and Recreation Director's report).

NOTICES

- 14. The City Clerk has on Thursday, October 2, 2003, at 3:00 p.m. 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.

FINANCE COMMITTEE REPORT

- 15. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, OCTOBER 7, 2003, 12:45 P.M., IN ROOM 15 (120.03)

- A. Allocation of the City's Fiscal Year 2004 Community Promotion grants funding for Events and Festivals, Organizational Development and Community Arts;
- B. Interim Financial Statements for the Year Ended June 30, 2003 (See Agenda Item No. 17); and
- C. Accounting Policy for Streets Maintenance Program.

- 16. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee member Dan Secord reported that the Committee had considered and approved Arts Advisory Committee recommendations pertaining to Community Promotion grants funding for Fiscal Year 2004 and Staff recommendations related to an accounting policy for the Streets Maintenance Program; these recommendations will be submitted for the Council's approval next week. The Committee also reviewed and forwarded to Council for its acceptance the Interim Financial Statements for the Year Ended June 30, 2003 (Agenda Item No. 17).

17. SUBJECT: INTERIM FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2003 (250.02)

RECOMMENDATION: That Council:

- A. Receive a report from staff on the Interim Financial Statements for the Fiscal Year Ended June 30, 2003; and
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2003.

DOCUMENTS:

October 7, 2003, Finance Director's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Secord/Fairly to accept the statements.

VOTE:

Unanimous voice vote (Absent: Councilmembers Hart, Horton).

Agenda Item No. 18 appears in the Redevelopment Agency minutes.

RECESS 3:29 p.m. – 3:41 p.m. Assistant City Attorney Stephen Wiley assumed the role of City Attorney.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

19. SUBJECT: CONTRACT FOR RENEWAL OF TEEN PROGRAMS ALCOHOL AND DRUG GRANT (520.04)

RECOMMENDATION: That Council:

- A. Hear a presentation from the Parks and Recreation Department, Teen Programs, on the first year of the Santa Barbara County Alcohol and Drug Grant program activities;
- B. Authorize the Parks and Recreation Director to accept a renewal grant of \$50,000 from the County of Santa Barbara Alcohol, Drug, and Mental Health Services for a second year of programming, and to execute a purchase order with the County of Santa Barbara to administer the grant; and
- C. Increase appropriations and estimated revenues in fiscal year 2004 in the Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$50,000.

(Cont'd)

19. (Cont'd)

DOCUMENTS:

- October 7, 2003, Parks and Recreation Director's report.
- September 23, 2003, Parks and Recreation Director's memorandum.
- PowerPoint presentation made by Staff.

SPEAKERS:

Staff: Teen Programs Supervisor Susan Young, Teen Project Coordinator Jeff Hurley.

MOTION:

Councilmembers Fodayemi/Falcone to approve the recommendations; Agreement No. 21,166.

VOTE:

Unanimous voice vote (Absent: Councilmembers Hart, Horton).

PUBLIC HEARINGS

20. SUBJECT: LOCAL LAW ENFORCEMENT BLOCK GRANT (L.L.E.B.G.) (520.04)

RECOMMENDATION: That Council:

- A. Hold a public hearing;
- B. Accept the Local Law Enforcement Block Grant (L.L.E.B.G.) award of \$85,444.00;
- C. Appropriate \$85,444.00 to the fiscal year 2003/04 Local Law Enforcement Block Grant (L.L.E.B.G.) Fund for the purchase of Motorola Portable Radios, Ammunition, Crowd Control Munitions, Rifle Suppressors, Dart Projector, Body Armor Vests, Red Light Emitting Diode (LED) Light, Radio for Police Motorcycle, Siren for Police Motorcycle, Digital Cameras, Laser Radar, Portable Alcohol Sensor (PAS) Device, Clearing Barrels (for safe unloading of weapons), Computer Automated Legal Research and Codes, Computer Hardware, .40 Caliber Handguns, Computer Software, Computer Printer, Digital Video Recorder, Fax Machine, and Police Bicycle;
- D. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code 4.52.080 (k), and authorize the City General Services Manager to issue purchase orders to Telecom Communications for thirty (30) Motorola HT1250 Portable Radios for the sum of \$23,100.00; and
- E. Approve the transfer of \$9,494.00 in currently available asset forfeiture funds for the year 2003 L.L.E.B.G. to the Police Special Operation Fund for the matching funds requirement of \$9,494.00.

(Cont'd)

20. (Cont'd)

DOCUMENTS:

October 7, 2003, report from the Chief of Police.

PUBLIC HEARING OPENED:

4:02 p.m.

SPEAKERS:

Staff: Police Captain Frank Mannix.

PUBLIC HEARING CLOSED:

4:04 p.m.

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Hart, Horton).

21. SUBJECT: APPEAL OF PLANNING COMMISSION APPROVAL FOR 1318
SAN ANDRES STREET (640.07)

RECOMMENDATION: That Council deny the appeal of Hope Cull, and uphold the Planning Commission's decision to approve a front yard setback modification, a parking modification, and a Tentative Subdivision Map for a one-lot condominium subdivision with five units, making the findings in the Council Agenda Report.

Affidavit of Publication - Noticed for 2:00 p.m. Session

DOCUMENTS:

- October 7, 2003, Community Development Director's report.
- Undated letter of appeal, received August 18, 2003, by the City Clerk's Office.
- Undated letter from Joan Livingston, received October 2, 2003, by the Mayor & Council Office.
- October 6, 2003, letter from Citizens Planning Association of Santa Barbara County, Inc.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

4:05 p.m.

(Cont'd)

21. (Cont'd)

SPEAKERS:

- Staff: Assistant Planner Trish Allen, City Planner Bettie Hennon, Assistant City Attorney Stephen Wiley.
- Planning Commission: Chair Bill Mahan.
- Appellant: Hope Cull.
- Applicant: Architect Alex Pujo, Property Owner Jeff Lockwood.
- Members of the Public: Celeste Barber, Joan Livingston, Michael Cull.

PUBLIC HEARING CLOSED:

5:19 p.m.

MOTION:

Councilmembers Secord/Folayemi to grant the appeal and refer the project to the Architectural Board of Review with direction that the Board consider a 4-unit project, and allowing the Board the latitude to move the building into the open space at the rear in order to avoid the need for modifications.

This motion was withdrawn.

MOTION:

Councilmembers Secord/Falcone to grant the appeal with regard to the front yard setback modification, deny the appeal and uphold the Planning Commission's decision with regard to the parking modification and Tentative Subdivision Map, and approve the project with the requirement that the building be moved five feet back into the open space at the rear.

VOTE:

Unanimous voice vote (Absent: Councilmembers Hart, Horton).

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:49 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST: _____

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK