



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 4, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance Committee met at 1:00 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, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: Gregg A. Hart.

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

CEREMONIAL ITEMS

Proclamations

1. SUBJECT: PROCLAMATION DECLARING MARCH 7, 2003, AS ARBOR DAY (120.04)

ACTION: Proclamation presented to City Arborist David Gress and Desmond O'Neill, president-elect of Santa Barbara Beautiful.

2. SUBJECT: PROCLAMATION DECLARING THE MONTH OF MARCH 2003 AS AMERICAN RED CROSS MONTH (120.04)

ACTION: Proclamation presented to Joni Meisel, Member, American Red Cross Board of Directors.

Councilmember Hart entered the meeting at 2:11 p.m.

3. SUBJECT: PROCLAMATION DECLARING THE MONTH OF MARCH 2003 AS MEDIATION MONTH (120.04)

ACTION: Proclamation presented to Michael Smith, Rental Housing Mediation Task Force Chair.

Presentations

4. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARDS (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 March 31, 2003.

DOCUMENTS:

March 4, 2003, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong, Fire Chief Warner McGrew, Award Recipients Lisa Moreno and Bill Veazey.

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

25-Year Pin

Dave Fierro, Fire
Lisa Moreno, Fire
Bill Veazey, Fire
Don Levasheff, Fire

15-Year Pin

Andrea Crippa, Airport
Carol Schmitter, Police
Bill Guthrie, Public Works
Eric Johnson, Public Works

10-Year Pin

Brian Quittner, Waterfront

5-Year Pin

Scott Vincent, City Attorney
Eric Beecher, Police
Mary Engle, Police
Barbara Sansone, Police
Frank Dealy, Public Works
Dale Escobar, Public Works
Milisav Pavlovic, Public Works
Amy Wilke Pryor, Waterfront

PUBLIC COMMENT

SPEAKERS: Judith Evered, Lynn Hendred, Nancy Tunnell, Peter Lackner, Tom Scheff, Ken Saks, Marshall Rose, Chris, Ken Loch and Christopher A. Brown.

CONSENT CALENDAR (Item Nos. 5 - 14)

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

MOTION:

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

VOTE:

Unanimous voice vote.

5. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of February 18 (cancelled due to lack of quorum), and the special meeting of February 19, 2003.

ACTION: Approved the recommendation.

6. SUBJECT: CONTRACT AMENDMENT WITH COFFMAN ASSOCIATES, INC., FOR AIRPORT NOISE COMPATIBILITY STUDY (560.14)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute an amendment, in a form acceptable to the City Attorney, to Professional Services Contract No. 20,139 between the City and Coffman Associates, Inc., to increase the compensation by \$77,431 for a total of \$392,431, extend the project schedule to April 5, 2004, and amend the project scope to update certain study elements for the FAR Part 150 Noise Compatibility Study; and
- B. Appropriate \$77,431 from the Airport Passenger Facility Charge Fund to the Airport FAA Capital Projects Fund.

ACTION: Approved the recommendations; Contract No. 20,139.1 (March 4, 2003, Airport Director's report).

7. SUBJECT: LEASE AGREEMENT WITH SANTA BARBARA SCHOOL DISTRICT FOR USE OF HARDING RECREATION CENTER (330.04)

RECOMMENDATION: That Council 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 Santa Barbara School District for Use of the Harding Recreation Center.

(Cont'd)

7. (Cont'd)

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns.

ACTION: Approved the recommendation (March 4, 2003, Parks and Recreation Director's report).

8. **SUBJECT: CONTRACT FOR WATER MAIN REPLACEMENT PROJECT DRAFTING SERVICES (540.06)**

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with O'Brien & Wall, in an amount not to exceed \$157,740, for drafting services on the Water Main Replacement Project Fiscal Years 2003-2004; and
- B. Authorize the Public Works Director to approve expenditures up to \$15,774 to cover any cost increases that may result from contract change orders for extra work.

SPEAKERS:

Staff: Principal Civil Engineer Homer Smith.

ACTION: Approved the recommendations; Contract No. 20,908 (March 4, 2003, Public Works Director's report).

9. **SUBJECT: APPLICATION FOR REUSE ASSISTANCE GRANT FUNDING (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 to the California Integrated Waste Management Board an Application for Reuse Assistance Grant Funding.

SPEAKERS:

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

ACTION: Approved the recommendation; Resolution No. 03-012 (March 4, 2003, Public Works Director's report).

10. SUBJECT: OPERATING PERMIT WITH COMAIR, INC., AT THE AIRPORT (560.02)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute an Airline Operating Permit with Comair, Inc., an Ohio Corporation, establishing landing fees at \$1.62 per thousand pounds of gross landed weight, and Airline Terminal fees at \$52.47 per square foot annually, prorated in accordance with the 80/20 Joint Use Formula, for joint use of 1,500 square feet of Baggage Claim Area, and 1,806 square feet of Passenger Screening and Holdroom Area in the Airline Terminal, at 500 Fowler Road, at the Santa Barbara Airport, commencing February 1, 2003.

ACTION: Approved the recommendation; Agreement No. 20,909 (March 4, 2003, Airport Director's report).

11. SUBJECT: CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO AIRPORT LOCAL COASTAL PROGRAM AMENDMENT (650.04)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Acknowledging Receipt of the California Coastal Commission Resolution of Certification for Local Coastal Program Land Use Plan Amendment No. SBC-MAJ-1-02 Related to the City Airport's Airfield Safety Projects and Accepting and Agreeing to All Modifications Suggested by the Coastal Commission in Their Action of December 10, 2002, and Agreeing to Issue Coastal Development Permits Pursuant to the Certified Local Coastal Program; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 29.25 of Title 29 of the Santa Barbara Municipal Code Relating to the Goleta Slough Reserve Zone to be Consistent with the Airport and Goleta Slough Component of the City's Certified Local Coastal Program.

ACTION: Approved the recommendations; Resolution No. 03-013 (March 4, 2003, Airport Director's report).

NOTICES

- 12. The City Clerk has on Thursday, February 27, 2003, 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.
- 13. Cancellation of the regular City Council and Redevelopment Agency meetings of March 11, 2003, at 2:00 p.m. due to the lack of a quorum.

14. The City Council will hold a public hearing on Tuesday, March 18, 2003, at ~~2:00 p.m.~~6:00 p.m. to consider proposed amendments to the Santa Barbara Municipal Code regarding the R-2, Two-Family Residential Zone, to allow a second unit on lots between 5,000 and 6,000 square feet.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

FINANCE COMMITTEE

15. SUBJECT: FINANCE COMMITTEE AGENDA, MARCH 4, 2003, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF LIABILITY / WORKERS' COMPENSATION INSURANCE PORTFOLIO (120.03)
16. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee heard a Staff presentation regarding the City's Liability and Workers' Compensation Insurance Portfolio.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION: Councilmember Horton reported on his attendance at a meeting of the City's Civil Service Commission and the "Read with Roosevelt" program.

RECESS

3:00 p.m. - 3:01 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 3:01 p.m.

17. SUBJECT: CONTRACT FOR 916 STATE STREET PUBLIC RESTROOM PROJECT (530.01)

RECOMMENDATION:

- A. That the Redevelopment Agency Board authorize the expenditure of \$592,428 for construction of the 916 State Street Public Restroom Project without the proposed art element;

(Cont'd)

17. (Cont'd)

- B. That Council award and authorize the Public Works Director to execute a contract with J.W. Bailey Construction Company, in their low bid amount of \$440,000, for construction of the 916 State Street Public Restroom, Bid No. 3331, and authorize the Public Works Director to approve expenditures up to \$42,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. That Council authorize the General Services Manager to issue a Purchase Order to Howard and Van Sande Structural Consultants, Incorporated (Howard & Van Sande), in the amount of \$32,500 for construction support services, and authorize the General Services Manager to approve expenditures of up to \$3,250 for extra services of Howard & Van Sande that may result from necessary changes in the scope of work; and
- D. That Council authorize the General Services Manager to issue a Purchase Order to Fugro West, Incorporated (Fugro), in the amount of \$6,300 for material testing, and authorize the General Services Manager to approve expenditures of up to \$630 for extra services of Fugro that may result from necessary changes in the scope of work.

A SUPPLEMENTAL COUNCIL AGENDA REPORT WAS SUBMITTED FOR THIS ITEM, AS FOLLOWS:

17.1. SUBJECT: REJECTION OF BIDS AND SEEK COUNCIL DIRECTION

RECOMMENDATION: That Council:

- A. Reject all bids for the construction of 916 State Street Restrooms; and
- B. Provide direction to staff concerning rebidding only the restroom portion of the project.

DOCUMENTS:

March 4, 2003, joint reports from the Public Works Director and Community Development Director/Deputy Director.

SPEAKERS:

- Staff: Housing and Redevelopment Manager David Gustafson, City Administrator/Executive Director James Armstrong, Principal Civil Engineer John Schoof.
- Members of the Public: Marshall Rose, Downtown Organization; Ben Romo; Bruce Rittenhouse; Ken Loch; Robert Maxim; Patrick Davis, Santa Barbara County Arts Consortium.

(Cont'd)

17. (Cont'd)

MOTION:

Council/Agency members Secord/Horton to take no action on the recommendations for Item No. 17 and approve recommendation A of Item No. 17.1.

VOTE:

Unanimous voice vote.

MOTION:

Council/Agency member Hart / Mayor/Chairperson Blum to direct Staff to return to the Council/Board with 1) an estimate of the savings that would result from the elimination of elements of the current restroom design that individual Council/Agency members would like to see removed, and 2) a survey of existing restrooms in the downtown area and an estimate of retrofitting costs to make those restrooms accessible to the public.

VOTE:

Unanimous voice vote.

The City Council and Redevelopment Agency joint session concluded at 3:58 p.m. The Redevelopment Agency meeting was adjourned at 3:58 p.m.

RECESS

3:58 p.m. - 4:12 p.m.

ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. SUBJECT: LEGISLATION PROGRAM (160.02)

RECOMMENDATION: That Council:

- A. Adopt the proposed Legislative Platform;
- B. Authorize the Mayor to sign letter correspondence to state and federal representatives to promote the City's Legislative Platform;
- C. Appoint a Council Committee on Legislation to oversee, and participate in, other advocacy efforts, including meetings with state and federal elected representatives; and
- D. Direct staff to schedule briefing sessions with Assembly Member Hannah-Beth Jackson, State Senator Tom McClintock and Congresswoman Lois Capps to review the City's Legislative Platform.

(Continued from February 25, 2003)

(Cont'd)

18. (Cont'd)

DOCUMENTS:

February 25, 2003, City Administrator's report.

SPEAKERS:

Staff: Special Projects Manager Don Olson, City Administrator James Armstrong.

MOTION:

Councilmembers Secord/Horton to approve the recommendations; appoint Councilmembers Falcone, Horton and Secord to the Committee on Legislation, with Councilmember Fodayemi to serve as an alternate; and direct the committee to review the Legislative Platform and return to the full Council with recommendations for amendments thereto.

VOTE:

Unanimous voice vote.

19. SUBJECT: ACTION FOR BETTER CITIES – VOLUNTARY CONTRIBUTIONS (180.01)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Establishing a Voluntary Contribution Check-off Program for City Council Members and Employees; and
 - B. Direct Staff to monitor the implementation of this program and report to Council annually as to the overall value and effectiveness of the program.
- (Continued from February 25, 2003)

DOCUMENTS:

- February 25, 2003, City Administrator's report.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

- Staff: Special Projects Manager Don Olson.
- Member of the Public: Das Williams.

MOTION:

Councilmembers Secord/Hart to approve the recommendations; Resolution No. 03-014.

VOTE:

Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

20. SUBJECT: LOWER MISSION CREEK FLOOD CONTROL PROJECT, LOCAL SPONSOR COST SHARING AGREEMENT FOR DESIGN (530.03)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute the Local Sponsor Cost Sharing Agreement for Design of the Lower Mission Creek Flood Control Project with the Santa Barbara County Flood Control and Water Conservation District (District) in an amount not to exceed \$132,625, contingent upon the District reaching an agreement for design with the United States Army Corps of Engineers.

(Continued from February 25, 2003)

DOCUMENTS:

February 25, 2003, Public Works Director's report.

SPEAKERS:

Staff: City Engineer Pat Kelly.

MOTION:

Councilmembers Hart/Secord to approve the recommendation; Agreement No. 20,910.

VOTE:

Unanimous voice vote.

21. SUBJECT: CAPITAL IMPROVEMENT PROJECTS SECOND QUARTER UPDATE FOR FISCAL YEAR 2002/2003 (230.01)

RECOMMENDATION: That Council receives, for information only, the Capital Improvement Projects Second Quarter Update for Fiscal Year 2002-2003.

(Continued from February 25, 2003)

DOCUMENTS:

February 25, 2003, Public Works Director's report.

SPEAKERS:

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

By consensus, the Council received the report.

PUBLIC HEARINGS

22. SUBJECT: AMENDMENT TO WATERFRONT FEE RESOLUTION 02-103
(570.03)

RECOMMENDATION: That Council:

- A. Hold a public hearing;
- B. Review a Waterfront Department Fee Resolution increasing the number of West Beach permits available for outrigger, dories, and small sailboats, changing the permit duration period for catamaran beach permits from nine months to eight months, and increasing the total number of permits to 65 annually; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Mooring, Slip and User Fees in the Santa Barbara Harbor Including Stearns Wharf, and Repealing Resolution No. 02-103.

(Continued from February 25, 2003)

DOCUMENTS:

- February 25, 2003, Waterfront Director's report.
- Proposed Resolution.

The title of the resolution was read.

PUBLIC HEARING OPENED:

5:07 p.m.

SPEAKERS:

Staff: Waterfront Business Manager Scott Riedman, Waterfront Director John Bridley.

PUBLIC HEARING CLOSED:

5:10 p.m.

MOTION:

Councilmembers Falcone/Horton to approve the recommendations; Resolution No. 03-015.

VOTE:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

INFORMATION: Councilmember Hart requested that the recommendation from the Park and Recreation Commission for basketball courts at Leadbetter Beach be submitted to the Council for its consideration.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:12 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK