



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 30, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 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 Blum.

ROLL CALL

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

Councilmembers absent: H. P. Fairly.

Staff present: City Administrator/Clerk James L. Armstrong, Assistant City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

Proclamations

1. PROCLAMATION DECLARING THE MONTH OF APRIL 2002, AS FAIR HOUSING MONTH (120.04)

ACTION: Proclamation presented to George Myers, Community Development and Human Services Committee Chair.

2. PROCLAMATION DECLARING THE MONTH OF MAY 2002, AS USS RONALD REAGAN (CVN 76) MONTH (120.04)

ACTION: Proclamation presented to Alan Miller, Santa Barbara Navy League Treasurer.

3. PROCLAMATION DECLARING THE WEEK OF MAY 5 – 11, 2002, AS SUICIDE PREVENTION WEEK (120.04)

ACTION: Proclamation presented to Jina Carvalho, Glendon Association Communications Director, and Loralie Matthews, Family Service Agency HelpLine Program Coordinator.

PUBLIC COMMENT

SPEAKERS: Alex Rodriguez, Jon Clark and Nick Katzenstein.

RECESS

2:13 p.m. - 2:14 p.m., during which time the first portion of the Redevelopment Agency meeting was completed.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION

The City Council and the Redevelopment Agency convened in joint session at 2:14 p.m.

ADMINISTRATIVE REPORTS

CITY ADMINISTRATOR

19. SUBJECT: CONDUCT OF CITY COUNCIL MEETINGS (120.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Concerning the Conduct of City Council Meetings Commencing May 7, 2002, and Rescinding Resolution No. 99-119.

(To be considered with Redevelopment Agency Agenda Item No. 2)

CITY COUNCIL DOCUMENTS:

- April 30, 2002, City Administrator's report.
- Proposed Resolution.

REDEVELOPMENT AGENCY DOCUMENTS:

- April 30, 2002, Deputy Director's report recommending that the Redevelopment Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Amending the Bylaws of the Redevelopment Agency, Article III, Section 1, Regarding Incorporation of the Agency's Agenda Process into the City of Santa Barbara's Council Agenda.
- Proposed Resolution.

(Cont'd)

19. (Cont'd)

SPEAKERS:

Staff: Deputy City Administrator Peter Wilson, City Administrator/
Executive Director James Armstrong.

MOTION:

Mayor/Chairperson Blum / Council/Agency member Horton to approve the recommendations; City Council Resolution No. 02-053, revised to add a category entitled "Reports from Councilmembers on Committee Assignments" to Item No. 6 (Order of Business, Regular Meeting's Afternoon Session); Redevelopment Agency Resolution #963.

VOTE:

Unanimous roll call vote (Absent: Council/Agency member Fairly).

The City Council and Redevelopment Agency joint session concluded at 2:19 p.m. The Redevelopment Agency meeting was adjourned at 2:19 p.m. The Council meeting remained in session.

CONSENT CALENDAR (Item Nos. 4 - 17)

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

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

4. **SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of April 16, 2002.

ACTION: Approved the recommendation.

5. **SUBJECT: ADVISORY GROUP RESIGNATION (570.08)**

RECOMMENDATION: That Council accept the resignation of Jessica Kinnahan from the Park and Recreation Commission.

ACTION: Approved the recommendation (April 19, 2002, letter of resignation).

6. SUBJECT: LEASE AGREEMENT WITH ACCOUSTIC TRANSDUCERS, INC., DBA RESON, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a two-year Lease Agreement with Accoustic Transducers, Inc., a California Corporation, dba Reson, for 4,800 square feet of Building 223, at 94 B and C Frederic Lopez Road, at the Santa Barbara Municipal Airport, commencing April 1, 2002, and ending March 31, 2004, for a total monthly rental of \$5,354, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,621 (April 30, 2002, Airport Director's report).

7. SUBJECT: LEASE AGREEMENT WITH WEST COAST LANDSCAPES, INC., AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with West Coast Landscapes, Inc., a California Corporation, for 858 square feet of Building 247 at 444 E David Love Place, at the Santa Barbara Municipal Airport, effective April 1, 2002, for a total monthly rental of \$772, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,622 (April 30, 2002, Airport Director's report).

8. SUBJECT: COASTAL RESOURCES PROGRAM GRANT (570.05)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Enter Into an Agreement Between the City and the California Resources Agency Under Section 35030/35031 of the Public Resources Code for the Bohnett Park Creek Restoration Project; and
- B. Increase estimated revenue in the Creeks Restoration/Water Quality Improvement Capital Fund in the amount of \$50,000 and appropriate the funds to the fiscal year 2002 Creeks Restoration/Water Quality Improvement Capital Fund for the restoration of Mission Creek at Bohnett Park.

ACTION: Approved the recommendations; Resolution No. 02-051; Agreement No. 20,623 (April 30, 2002, Parks and Recreation Director's report).

9. SUBJECT: APPROVAL AND EXECUTION OF AGREEMENTS AND ACCEPTANCE OF WATER EXTRACTION RIGHTS AT FIVE SEPARATE LOCATIONS (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute and Record Agreements with Donald and Shannon Gordon; Richard W. Moerler and Walter Matthews; Delfino and Honoria Estrada; Jason D. Leggitt; and Juan and Carmen Gonzalez and Abel and Leona Gonzalez, Assigning Water Extraction Rights to the City and Accepting Interests in Real Property Located at 208 El Monte Drive (APN 045-125-010), 818 North Salsipuedes Street (APN 031-032-018), 536 West Ortega Street (APN 037-063-022), 602 West Carrillo Street (APN 039-250-010), and at 214 South Voluntario Street (APN 017-252-010), Respectively.

ACTION: Approved the recommendation; Resolution No. 02-052; Agreement Nos. 20,624 - 20,628 (April 30, 2002, Public Works Director's report).

10. SUBJECT: NOTICE OF COMPLETION – SPECIFIC PLAN ROAD AND STORM DRAIN PROJECT NORTH OF HOLLISTER AVENUE, CONTRACT NO. 20,269 (560.04)

RECOMMENDATION: That Council accept the work completed by Granite Construction Company (Granite), Contract No. 20,269, for the Specific Plan Road and Storm Drain Project North of Hollister Avenue, Bid No. 3297, located on Santa Barbara Municipal Airport Property, in the final contract amount of \$3,149,991.49, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (April 30, 2002, Public Works Director's report).

11. SUBJECT: NOTICE OF COMPLETION – SANTA BARBARA MUNICIPAL AIRPORT PARKING LOT IMPROVEMENTS AT LOT 20, 6150 BOTELLO ROAD, CONTRACT NO. 20,424 (550.08)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Inc. (Lash), Contract No. 20,424, for the Santa Barbara Municipal Airport Parking Lot Improvements at Lot 20, located on Santa Barbara Municipal Airport Property, 6150 Botello Road, in the final contract amount of \$188,289.95, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (April 30, 2002, Public Works Director's report).

12. SUBJECT: DISINFECTANT STUDY AT THE WILLIAM B. CATER WATER TREATMENT PLANT (CATER) (540.10)

RECOMMENDATION: That Council authorize the General Services Manager to issue a Purchase Order to Carollo Engineers to perform a bench scale pre-oxidation and residual disinfectant study, in an amount not to exceed \$39,300.

ACTION: Approved the recommendation (April 30, 2002, Public Works Director's report).

13. SUBJECT: SET A DATE FOR PUBLIC HEARING (640.07)

RECOMMENDATION: That Council:

- A. Set the date of June 11, 2002, at 6:00 p.m. for hearing the appeal filed by Miriam Flacks, Steven Johnson, and David Fortson, of the Planning Commission's approval with amended conditions of the application of Richard Six, agent for Garden Partners, LLC, for property located at 1620 Garden Street, APN 027-201-014, R-3 Multiple Residential Zone, General Plan Designation: Residential, 12 Units Per Acre. The project proposes a one-lot subdivision to construct a three-story residential structure containing four condominium units and parking garage. An existing two-story residential structure containing five studio units and a five car garage is proposed to be demolished. The discretionary applications required are a Tentative Subdivision Map and Modifications; and
- B. Set the date of June 10, 2002, at 1:30 p.m. for a site visit to the property located at 1620 Garden Street.

ACTION: Approved the recommendations (April 11, 2002, letter of appeal).

NOTICES

14. The City Clerk has on Friday, April 26, 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.
15. Special Finance Committee meeting, April 30, 2002, at 12:30 p.m. in Room 15 for consideration of:
- A. Fiscal Year 2002 Interim Financial Statements for the Nine Months Ended March 31, 2002;
- B. Investment Management Review; and
- C. Fiscal Year 2003 Recommended Budget.
(120.03)
16. Special Redevelopment Agency meeting, April 30, 2002, at 2:00 p.m. in the Council Chamber. (620.03)

17. Joint City Council/Redevelopment Agency meeting, April 30, 2002, at 2:00 p.m. to consider Item No. 19 on the Council Agenda and Item No. 2 on the Redevelopment Agency Agenda. (620.03)

This concluded the Consent Calendar.

REPORT FROM FINANCE COMMITTEE

18. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee had received and forwarded to Council Interim Financial Statements (Agenda Item No. 20) and an Investment Management Review (Agenda Item No. 21). The Committee also heard a Staff presentation on the Fiscal Year 2003 Recommended Budget.

ADMINISTRATIVE REPORTS (Cont'd)

FINANCE DEPARTMENT

20. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED MARCH 31, 2002 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2002 Interim Financial Statements for the nine-months ended March 31, 2002.

DOCUMENTS:

April 30, 2002, Finance Director's report.

SPEAKERS:

Staff: Accounting Manager Leslie Casner.

By consensus, the Council accepted the statements.

21. SUBJECT: INVESTMENT MANAGEMENT REVIEW (260.02)

RECOMMENDATION: That Council receive and accept the first quarter 2001 Investment Management Review from Public Financial Management, Inc. (PFM).

DOCUMENTS:

April 30, 2002, Finance Director's report.

SPEAKERS:

- Staff: Treasury Manager Cynthia Odell.
- Public Financial Management, Inc.: Managing Director Nancy Jones.

By consensus, the Council accepted the report.

PARKS AND RECREATION DEPARTMENT

22. SUBJECT: PUBLIC OPINION RESEARCH SURVEY RESULTS (540.14)

RECOMMENDATION: That Council hear a presentation on the key findings of the south coast residential and business public opinion research surveys related to storm water and urban runoff pollution.

DOCUMENTS:

- April 30, 2002, Parks and Recreation Director's report.
- PowerPoint presentation made by Staff.

SPEAKERS:

- Staff: Creeks Restoration/Clean Water Manager Jill Zachary.
- Goodwin Simon Strategic Research (City Consultant): Paul Goodwin.
- Creeks Restoration and Water Quality Improvement Program Citizen Advisory Committee: Member Thomas Phillips.

DISCUSSION:

Councilmembers' questions were answered. The Council expressed its appreciation for the report.

Councilmember Hart left the meeting at 2:59 p.m.

ORDINANCES FOR INTRODUCTION

23. SUBJECT: AMENDMENT TO SETBACK LINES ON DE LA VINA STREET (640.09)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Repealing Sections 28.83.087 and 28.83.097 Pertaining to De La Vina Street Setbacks.

DOCUMENTS:

- April 30, 2002, Public Works Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Principal Civil Engineer John Ewasiuk.

(Cont'd)

23. (Cont'd)

MOTION:

Councilmembers Secord/Folayemi to approve the recommendation.

VOTE:

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

Councilmember Hart returned to the meeting at 3:05 p.m. Councilmember Fairly entered the meeting at 3:18 p.m.

24. **SUBJECT: OUTDOOR VENDING MACHINE REGULATIONS (520.04)**

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 22.70 of the Santa Barbara Municipal Code by Adding a New Section, Section 22.70.095, With Respect to the Installation and Use of Vending Machines Visible From City Public Rights-of-Way and Areas Open to Public Access.

DOCUMENTS:

- April 30, 2002, Community Development Director's report.
- Proposed Ordinance.
- April 29, 2002, letter from the California Grocers Association.

The title of the ordinance was read.

SPEAKERS:

- Staff: Design Review Supervisor Jaime Limón, Assistant City Attorney Stephen Wiley.
- Members of the Public: Bob Joyce, Joyce Communications; Gilbert Canizales, California Grocers Association.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendation, revising the ordinance to require the immediate elimination of these machines' internal illumination.

VOTE:

Unanimous voice vote.

RECESS

3:39 p.m. - 3:50 p.m. Councilmember Folayemi was absent when the Council reconvened.

ORDINANCES FOR ADOPTION

25. SUBJECT: ORDINANCE TO PROVIDE FOR ANGLE PARKING DURING THE CONSTRUCTION OF THE GRANADA GARAGE (550.05)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing Angle Parking and Associated Traffic Regulations on Victoria Street During the Construction of the Granada Garage. (Introduced on April 23, 2002)

DOCUMENTS:

- Previous documents submitted April 23, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: City Administrator James Armstrong.

MOTION:

Councilmembers Secord/Horton to approve the recommendation;
Ordinance No. 5233.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fodayemi).

26. SUBJECT: LEASE AGREEMENT WITH KENNETH HALL, DBA GOLETA BUILDING MATERIALS (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 Kenneth Hall, dba Goleta Building Materials, for Office or Retail Sales Incidental and Accessory to a Rock, Sand and Gravel Yard Business at the Santa Barbara Municipal Airport. (Introduced on April 23, 2002)

DOCUMENTS:

- Previous documents submitted April 23, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Secord/Falcone to approve the recommendation;
Ordinance No. 5234; Agreement No. 20,629.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fodayemi).

Councilmember Fodayemi returned to the meeting at 3:57 p.m.

PUBLIC HEARING

27. SUBJECT: FISCAL YEAR 2003 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Open the public hearing on the Fiscal Year 2003 Recommended Budget;
- B. Hear a presentation from staff on the Fiscal Year 2003 Recommended Budget; and
- C. Continue the public hearing to Tuesday, May 7, 2002, at 6:00 p.m.

DOCUMENTS:

- April 30, 2002, Finance Director's report.
- PowerPoint presentation made by Staff.

PUBLIC HEARING OPENED:

3:51 p.m.

SPEAKERS:

- Staff: Assistant Finance Director Robert Samario, City Administrator James Armstrong.
- Members of the Public: Joe Armendariz, Santa Barbara County Taxpayers Association; Flora Price.

By consensus, the Council continued the public hearing to May 7, 2002, at 6:00 p.m.

RECESS

4:30 p.m. - 4:32 p.m.

CLOSED SESSION

28. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

RECOMMENDATION: 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 real property located at 319 West Haley Street, Santa Barbara, California, APN 037-192-012. The City's negotiators are David Gustafson, Housing and Redevelopment Manager, and Browning Allen, Transportation Planning Manager. Negotiations will be with Habitat for Humanity. Under negotiation are the terms of a lease of real property.

Scheduling: Duration, 30 minutes; anytime

(Cont'd)

28. (Cont'd)

DOCUMENTS:

April 30, 2002, Public Works Director's report.

TIME:

4:32 p.m. - 4:43 p.m.

RECESS: 4:43 p.m. - 4:45 p.m. The City Council reconvened in the Council Chamber; Councilmembers Fairly, Horton and Secord were absent.

ANNOUNCEMENT:

Assistant City Attorney Stephen Wiley reported that the Council met in closed session for Agenda Item No. 28; no reportable action was taken during the closed session.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:46 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH
DEPUTY CITY CLERK