



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 4, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

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### CALL TO ORDER

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

#### Presentations

1. 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 June 30, 2002.

#### DOCUMENTS:

June 4, 2002, Assistant City Administrator's report.

(Cont'd)

1. (Cont'd)

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

15-Year Pin

Matthew Grul, Public Works

Keith Kapuy, Public Works

10-Year Pin

Lori Pedersen, Public Works

5-Year Pin

John Mead, Parks and Recreation

Steve Takaya, Parks and Recreation

Michael Schwab, Police

Councilmember Fairly arrived at the meeting at 2:03 p.m.

## **CHANGES TO THE AGENDA**

### Item Removed from Agenda

At the request of City Administrator James Armstrong, the following item was removed from the Agenda:

10. SUBJECT: 3791 STATE STREET - APPROVAL OF FINAL MAP AND EXECUTION OF AGREEMENTS (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,647 by BDC- METRO, LLC, a California Limited Liability Company, for a one-lot subdivision, located at 3791 State Street, APN 051-040-028, 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;
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements;
- D. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Water Extraction Rights for the City and Accepting Interest in Real Property Located at 3791 State Street, APN 051-040-028.

**CONSENT CALENDAR** (Item Nos. 2 - 9 and 11 - 20)

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

**MOTION:**

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

**VOTE:**

Unanimous voice vote.

2. **SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of May 14, the adjourned regular meeting of May 20, the regular meeting of May 21, and the regular meeting of May 28, 2002 (cancelled due to the lack of a quorum).

**ACTION:** Approved the recommendation.

3. **SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE TEN MONTHS ENDED APRIL 30, 2002 (250.02)**

**RECOMMENDATION:** That Council accept the fiscal year 2002 Interim Financial Statements for the Ten Months Ended April 30, 2002.

**ACTION:** Approved the recommendation (June 4, 2002, Finance Director's report).

4. **SUBJECT: LEASE AGREEMENT WITH PADDLE SPORTS OF SANTA BARBARA, LLC, 117-B HARBOR WAY (330.04)**

**RECOMMENDATION:** That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option, Between the City of Santa Barbara and Paddle Sports of Santa Barbara, LLC, for a 956 Square Foot Retail Shop Located at 117-B Harbor Way, in the Santa Barbara Harbor. (Introduced on May 21, 2002)

**ACTION:** Approved the recommendation; Ordinance No. 5239; Agreement No. 20,642 (previous documents submitted May 21, 2002).

5. SUBJECT: LEASE AGREEMENT WITH THE SANTA BARBARA MUSEUM OF NATURAL HISTORY FOR THE SEA CENTER ON STEARNS WHARF (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an 8-Year Lease Agreement with Three 6-Year Options, with the Santa Barbara Museum of Natural History for the Sea Center at 211 Stearns Wharf. (Introduced on May 21, 2002)

ACTION: Approved the recommendation; Ordinance No. 5240; Agreement Nos. 20,643 and 20,644 (previous documents submitted May 21, 2002).

6. SUBJECT: LEASE AGREEMENT WITH FIRST DERIVATIVE SYSTEMS, INC., AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with First Derivative Systems, Inc., a California Corporation, for 3,040 square feet of Building 115, 700 B and C Wallace Becknell Road, at the Santa Barbara Municipal Airport, effective May 1, 2002, for a total monthly rental of \$2,766, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,645 (June 4, 2002, Airport Director's report).

7. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH OLD SPANISH DAYS (180.02)

RECOMMENDATION: That the City Council approve and authorize the Finance Director to execute the Fiscal Year 2003 Community Promotion contract with Old Spanish Days in the amount of \$42,000 for June 1, 2002, to May 31, 2003.

SPEAKERS:

Old Spanish Days: 2002 El Presidente Nick Katzenstein, Erin Gaffy.

ACTION: Approved the recommendation; Contract No. 20,646 (June 4, 2002, Finance Director's report).

8. SUBJECT: AGREEMENTS WITH SANTA BARBARA SCHOOL DISTRICTS FOR SPORTS FIELD IMPROVEMENTS (150.05)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to execute an agreement with the Santa Barbara Secondary School District for renovation of the La Cumbre Junior High School Field; and
- B. Approve and authorize the City Administrator to execute an agreement with the Santa Barbara Elementary School District for renovation of the Franklin Elementary School Field.

SPEAKERS:

Member of the Public: Ken Loch.

ACTION: Approved the recommendations; Agreement Nos. 20,647 and 20,648 (June 4, 2002, Acting Parks and Recreation Director's report).

9. SUBJECT: APPROVAL OF FINAL MAP; EXECUTION OF AGREEMENTS AND ACCEPTANCE OF WATER EXTRACTION RIGHTS FROM 1217 MANITOU ROAD; AND ACCEPTANCE OF A STREET EASEMENT FROM 1213 MANITOU ROAD (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,645 by Frank P. Villalba and Lorraine McBurnie, for an eight-lot subdivision, located at 1217 Manitou Road, APN 041-010-032, 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;
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements;
- D. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights;
- E. 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 an Agreement with Frank P. Villalba and Lorraine McBurnie Assigning Water Extraction Rights to the City and Accepting Interest in Real Property Located at 1217 Manitou Road, APN 041-010-032; and
- F. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Public Street, Being a Portion of Manitou Lane, Located on and across a Portion of the Real Property at 1213 Manitou Road, APN 041-010-027, and will be Commonly Known as "Manitou Lane."

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9. (Cont'd)

ACTION: Approved the recommendations; Agreement Nos. 20,649 - 20,651; Resolution Nos. 02-058 and 02-059 (June 4, 2002, Public Works Director's report).

11. SUBJECT: ACCEPTANCE OF AN EASEMENT FOR PUBLIC WALKWAY BETWEEN RINCONADA ROAD AND CARRILLO STREET (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for a Public Walkway Located Between Rinconada Road and Carrillo Street, Affecting the Real Property at 1007-1011 Rinconada Road, APN 029-230-021.

ACTION: Approved the recommendation; Resolution No. 02-060 (June 4, 2002, Public Works Director's report).

12. SUBJECT: NOTICE OF COMPLETION – WEST BEACH DREDGING 2001-2002, CONTRACT NO. 20,452 (570.03)

RECOMMENDATION: That Council accept the work completed by Nova Group, Incorporated (Nova), Contract No. 20,452, for the West Beach Dredging 2001-2002 Project, Bid No. 3324, located at West Beach between the Harbor and Stearns Wharf, Santa Barbara County, in the final contract amount of \$577,997.86, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (June 4, 2002, Public Works Director's report).

13. SUBJECT: CACHUMA CONSERVATION RELEASE BOARD 2003 BUDGET (540.03)

RECOMMENDATION: That Council:

- A. Ratify the 2002-2003 Cachuma Conservation and Release Board budget of \$1,651,300; and
- B. Approve payment in the amount of up to \$259,200, as the City's share of needed funds.

SPEAKERS:

Staff: Water Supply Manager Steve Mack.

ACTION: Approved the recommendations (June 4, 2002, Public Works Director's report).

14. SUBJECT: SANTA BARBARA WATER PURVEYORS AGENCY: NAME CHANGE AND 2003 BUDGET (540.03)

RECOMMENDATION: That Council:

- A. Approve and authorize the Public Works Director to execute an Amendment to the Santa Barbara Water Purveyors Agency Joint Powers Agreement providing for a change in agency name to "Association of Water Agencies of Santa Barbara County" (AWASBC); and
- B. Ratify and authorize the Public Works Director to execute the 2003 AWASBC Operations Budget of \$17,000 with a City share of \$1,182.18.

ACTION: Approved the recommendations; Agreement No. 20,652 (June 4, 2002, Public Works Director's report).

15. SUBJECT: LEGISLATIVE REPORT (160.02)

RECOMMENDATION: That Council:

- A. SUPPORT SB 1374 (Kuehl), which would require the California Integrated Waste Management Board (CIWMB) to adopt one or more model ordinances designed to stimulate the diversion of construction and demolition waste from disposal;
- B. OPPOSE SB 1506 (Romero), which would require the Vehicle License Fee (VLF) offset for Los Angeles County to be withheld when 50% of the recognized employee organizations have been at a collective bargaining impasse for a period in excess of 30 days until the board of supervisors has ratified and implemented collective bargaining agreements with more than 50%;
- C. SUPPORT AB 2945 (Wright), which would authorize disbursements from the State Emergency Telephone Number Account to reimburse service carriers, communication equipment companies, wireless service providers, and local agencies for costs incurred in implementing Phase I and II of the enhanced "9-1-1" emergency telephone number system mandated by the Federal Communications Commission;
- D. SUPPORT AB 1797 (Harman), which would require a public official who has a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse himself or herself, and leave the room until after the disposition of the matter is concluded;
- E. SUPPORT AB 1815 (Frommer), which would enact the California Homeland Defense Bonds Act of 2002 authorizing the Treasurer to sell bonds to fund antiterrorism activities by local firefighting agencies, local police departments, and local emergency services agencies;

(Cont'd)

15. (Cont'd)

- F. SUPPORT AB 2002 (Alquist), which would require the Director of Emergency Services to establish a search and rescue emergency response advisory committee to prepare and submit to the director a strategy, plan, and recommendations for addressing the resource needs of emergency search and rescue units;
- G. SUPPORT SB 1350 (McPherson), which would require the Office of Emergency Services to develop terrorism awareness training and require the Commission on Peace Officer Standards and Training (POST) to develop mandatory training for specified peace officers on the responsibilities of first responders to terrorism incidents with reimbursement to local agencies for the cost;
- H. SUPPORT SCA 13 (Alarcon), which would authorize a local government, with the approval of a majority of its voters voting on the proposition, to secure funding for projects related to transportation and other local development, for the construction of affordable housing for low and moderate income persons, and for projects that facilitate transportation between employment sites and affordable housing;
- I. OPPOSE AB 2370 (Thomson), which would limit the annexation of territory that is subject to a contract in a farmland security zone, a contract to conserve agricultural land, an open-space easement, an agricultural conservation easement, or a conservation easement under certain circumstances;
- J. SUPPORT AB 2233 (Wright), which would enact the Firefighting Equipment Bond Act of 2002 authorizing the issuance of bonds in the amount of \$85,000,000 to finance the thermal imaging equipment purchasing program and other firefighting equipment for state and local agencies; and
- K. 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 (June 4, 2002, City Administrator's report).

16. SUBJECT: SET A DATE FOR PUBLIC HEARING - PARKING AND BUSINESS IMPROVEMENT AREA (PBIA) ANNUAL ASSESSMENT REPORT – INTENTION TO LEVY (550.10)

RECOMMENDATION: That Council:

- A. Approve the Fiscal Year (FY) 2002-2003, PBIA Annual Assessment Report; and

(Cont'd)

16. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2002-2003 Fiscal Year, at a Public Hearing to be held on June 25, 2002, at 2:00 p.m.

ACTION: Approved the recommendations; Resolution No. 02-061 (June 4, 2002, Public Works Director's report).

17. SUBJECT: SET A DATE FOR PUBLIC HEARING

RECOMMENDATION: That Council:

- A. Set the date of July 2, 2002, at 2:00 p.m. for hearing the appeal filed by Beverly Roland of the Planning Commission's denial of an appeal of the Modification Hearing Officer's decision to approve an application for property owned by Tim and Martha Townsend, and located at 334 E. Padre Street, APN 025-331-007, E-1 One-Family Residence Zone, General Plan Designation: Residential, 3 Units per Acre. The project proposes a second-story addition to an existing residence. Discretionary applications required are Modifications to permit the addition to 1) exceed solar access limitations, and 2) be located within the required front yard setback; and
- B. Set the date of July 1, 2002, at 1:30 p.m. for a site visit to the property located at 334 E. Padre Street.

ACTION: Approved the recommendations (May 10, 2002, letter of appeal).

## NOTICES

- 18. The City Clerk has on Friday, May 31, 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.
- 19. Special Finance Committee meeting, June 4, 2002, at 12:00 p.m. in Room 15 for consideration of the Fiscal Year 2003 Recommended Budget. (120.03)
- 20. The City Council will conduct a site visit on Monday, June 10, 2002, at 1:30 p.m. to the property located at 1620 Garden Street, which is the subject of an appeal hearing set for June 11, 2002, at 6:00 p.m.

This concluded the Consent Calendar.

## **PUBLIC COMMENT**

**SPEAKERS:** Bruce Rittenhouse, Ken Loch, Robert Salmon, Bob Hansen, Vern Atkins, Raquel Mendoza.

## **REPORT FROM FINANCE COMMITTEE**

### 21. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee heard requests from outside organizations for funding from the Fiscal Year 2003 budget. The Committee discussed its final recommendations for this budget and for corresponding adjustments to the 2001-2003 Financial Plan; these recommendations will be submitted for Council's consideration next week.

## **REPORTS FROM COUNCILMEMBERS ON COMMITTEE ASSIGNMENTS**

**INFORMATION:** Councilmember Falcone reported that at a recent meeting of the Central Coast Water Authority, the proposed county split was discussed, and concern about the location of Lake Cachuma in the proposed new Mission County was expressed.

## **RECESS**

2:30 p.m. - 2:31 p.m., during which time the first portion of the Redevelopment Agency agenda, Item No. 22, was completed.

## **JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION**

The City Council and the Redevelopment Agency convened in joint session at 2:31 p.m.

### 24. SUBJECT: ANNUAL AGREEMENTS WITH THE REDEVELOPMENT AGENCY FOR FISCAL YEAR 2002-2003 (620.01)

**RECOMMENDATION:** That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving an Agreement for Public Improvements, Public Transportation and Administrative and Other Services Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2002-2003; and

(Cont'd)

24. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Railroad Station Parking Lot, and the Two Transportation Management Program Employee Parking Lots Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for the Fiscal Year 2002-2003.

CITY COUNCIL DOCUMENTS:

- June 4, 2002, Community Development Director's report.
- Proposed Resolutions.

REDEVELOPMENT AGENCY DOCUMENTS (Council Agenda Item No. 23):

- June 4, 2002, Deputy Director's report recommending that the Redevelopment Agency Board:
  - A. Adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving the Budget for Fiscal Year 2002-2003;
  - B. Adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving an Agreement for Public Improvements, Public Transportation, and Administrative and Other Services Between the Redevelopment Agency of the City of Santa Barbara and the City of Santa Barbara for Fiscal Year 2002-2003; and
  - C. Adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Railroad Station Parking Lot, and the Two Transportation Management Program Employee Parking Lots Between the Redevelopment Agency of the City of Santa Barbara and the City of Santa Barbara for Fiscal Year 2002-2003.
- Proposed Resolutions.

The titles of the resolutions were read.

SPEAKERS:

- Staff: Housing and Redevelopment Manager David Gustafson, City Administrator/Executive Director James Armstrong.
- Members of the Public: Skip Abed; Ed Casano, Santa Barbara Maritime Museum.

(Cont'd)

24. (Cont'd)

**MOTION:**

Council/Agency members Falcone/Hart to approve the recommendations; City Council Resolution Nos. 02-062 and 02-063; City Council Agreement Nos. 20,653 and 20,654; Redevelopment Agency Resolution Nos. 964 - 966; Redevelopment Agency Agreement Nos. 391 and 392.

**VOTE:**

Majority roll call vote (Noes: Council/Agency member Secord; Abstentions: Council/Agency member Horton).

**Note:** Council/Agency member Secord's "no" vote related only to that portion of the Redevelopment Agency budget (recommendation A from Council Agenda Item No. 23) that would grant \$500,000 to the Santa Barbara Maritime Museum. Council/Agency member Horton abstained due to his participation as an officer of one of the agencies funded through the RDA budget. Therefore, the votes to adopt the other resolutions involved with this item are considered unanimous votes.

The City Council and Redevelopment Agency joint session concluded at 2:57 p.m. The Redevelopment Agency meeting was adjourned at 2:57 p.m. The Council meeting remained in session.

## **ADMINISTRATIVE AND ATTORNEY REPORTS**

### PUBLIC WORKS DEPARTMENT

25. SUBJECT: APPROVAL OF TEMPORARY REPLACEMENT PARKING PLANS DURING THE CONSTRUCTION OF THE GRANADA GARAGE PARKING STRUCTURE (550.05)

**RECOMMENDATION:** That Council:

- A. Approve plans to temporarily replace 210 parking spaces lost from the existing City Parking Lot 6 during the construction of the new Granada Garage structure located at 1221 Anacapa Street; and
- B. Direct staff to proceed with the implementation of the Council approved plans for temporary parking.

**DOCUMENTS:**

June 4, 2002, Public Works Director's report.

(Cont'd)

25. (Cont'd)

**SPEAKERS:**

- Staff: Streets, Parking and Transportation Operations Manager George Gerth.
- Transportation and Circulation Committee: Member Jonathan Maguire.

**MOTION:**

Councilmembers Horton/Secord to approve the recommendations.

**VOTE:**

Unanimous voice vote.

26. **SUBJECT: AGREEMENT WITH THE METROPOLITAN TRANSIT DISTRICT TO ESTABLISH AND IMPLEMENT AN ANNUAL TRANSIT BUS PASS PROGRAM (SUPERTICKET) FOR DOWNTOWN EMPLOYEES (150.05)**

**RECOMMENDATION:** That Council authorize the Public Works Director to negotiate and execute an Agreement with the Metropolitan Transit District (MTD) in order to establish and implement an annual transit bus pass program for Downtown employees.

**DOCUMENTS:**

June 4, 2002, Public Works Director's report.

**SPEAKERS:**

- Staff: Streets, Parking and Transportation Operations Manager George Gerth.
- Metropolitan Transit District: Steven Maas.

**MOTION:**

Councilmembers Secord/Horton to approve the recommendation; Agreement No. 20,655.

**VOTE:**

Unanimous voice vote.

**RECESS**

3:37 p.m. – 3:45 p.m.

## REQUEST FROM THE PUBLIC

27. SUBJECT: REQUEST FROM THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA (660.06)

RECOMMENDATION: That Council receive a presentation from the Housing Authority of the City of Santa Barbara on The South Coast Housing Crisis Update - "Working Together to Build Solutions for a Healthy (Livable & Sustainable) Community".

### DOCUMENTS:

- May 10, 2002, memorandum from the Housing Authority of the City of Santa Barbara.
- Document entitled "The Housing Action Coalition: Its Structure, Mission and Principles," submitted by Rob Pearson of the Housing Authority.

### SPEAKERS:

- Housing Authority of the City of Santa Barbara: Executive Director Rob Pearson.
- Member of the Public: Mickey Flacks.
- Housing Authority Commission: Commissioner Catherine Woodford.

### DISCUSSION:

Mr. Pearson's presentation described the current housing crisis on the south coast of Santa Barbara County, including its impacts and possible solutions. He also explained myths and facts about affordable housing.

Councilmembers Falcone and Folleyemi left the meeting at 4:30 p.m.

## ORDINANCE FOR INTRODUCTION

28. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 16,360, THE BAIT SHOP, 232 STEARNS WHARF (330.04)

RECOMMENDATION: That Council:

- A. Find the Harbor Tackle, L.L.C., dba The Bait Shop, a tenant in good standing for the purposes of assigning the lease;
- B. Approve and authorize the City Administrator to execute a Consent to Assignment of Lease Agreement No. 16,360 for the 260 square foot bait and tackle shop located at 232 Stearns Wharf; and
- C. 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. 16,360 for the 260 Square Foot Bait and Tackle Shop Located at 232 Stearns Wharf.

(Cont'd)

28. (Cont'd)

DOCUMENTS:

- June 4, 2002, Waterfront Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Waterfront Business Manager Scott Riedman.

MOTION:

Councilmembers Secord/Horton to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Falcone, Fodayemi).

**RECESS**

4:32 p.m. – 4:35 p.m. Councilmembers Falcone and Fodayemi were present when the Council reconvened.

**CLOSED SESSION**

29. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (160.03)

RECOMMENDATION: 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 *Margaret Hause and Juanita Ullemeyer v. City of Santa Barbara*, SBSC Case No. 1035230.

Scheduling: Duration, 1 hour; anytime

DOCUMENTS:

June 4, 2002, City Attorney's report.

TIME:

4:35 p.m. – 5:50 p.m.

**RECESS**

5:50 p.m. – 6:09 p.m. The City Council reconvened in the Council Chamber. Mayor Blum presiding.

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

Councilmembers absent: None.

Staff present: City Administrator/Clerk Armstrong, Assistant City Attorney Wiley, Deputy City Clerk Tschech.

Mayor Blum stated that following completion of Agenda Item No. 30, the Council would reconvene in the closed session referred to in Item No. 29.

## **PUBLIC COMMENT**

SPEAKERS: Tom Becker.

## **PUBLIC HEARING**

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

RECOMMENDATION: That Council:

- A. Continue the public hearing on the Fiscal Year 2003 Recommended Budget from Tuesday, May 21, 2002; and
- B. Close the public hearing.

DOCUMENTS:

June 4, 2002, Finance Director's report.

PUBLIC HEARING OPENED (continued from May 21, 2002):

6:11 p.m.

SPEAKERS:

Members of the Public: Tom Becker; Rod Lathim, Santa Barbara Youth Performing Arts Center; Josephine Tapia, Lower Westside Center Advisory Committee; David Fortson, Santa Barbara County Action Network; Patrick O'Dowd; Alice O'Connor, Coalition for a Living Wage; Ashley Lape; Mark Asman; Jackie Robinson; Mary Gleason and Cathy Cash, Santa Barbara County Republican Central Committee; Babette Haven; Virginia Mariposa.

PUBLIC HEARING CLOSED:

6:39 p.m.

DISCUSSION:

Assistant Finance Director Robert Samario outlined the revised schedule for the adoption of the Fiscal Year 2003 Budget.

## **RECESS**

6:42 p.m. - 6:45 p.m.

**CLOSED SESSION**

29. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Continued from afternoon session)

TIME:

6:45 p.m. - 7:55 p.m.

**RECESS**

7:55 p.m. - 7:56 p.m. The City Council reconvened in the Council Chamber.

ANNOUNCEMENT:

City Attorney Daniel Wallace reported that the Council met in closed session for Agenda Item No. 29. The Council took no reportable action during the closed session.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:58 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

\_\_\_\_\_  
MARTY BLUM  
MAYOR

\_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK