



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING January 27, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:05 p.m. (The Finance Committee met at 12:30 p.m., and the Ordinance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

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

2. SUBJECT: INTRODUCTION OF ORDINANCE FOR EL PRESIDIO ENCROACHMENT PERMIT (330.10)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution by the Public Works Director of an Encroachment Permit with the State of California and the Santa Barbara Trust for Historic Preservation.

## **PUBLIC COMMENT**

SPEAKERS: Bruce Rittenhouse, Nancy Tunnell, Ken Loch, Scott Wenz and Steve Cushman.

## **CONSENT CALENDAR** (Item Nos. 1 and 3 – 7)

The titles of resolutions related to Item Nos. 5 and 6 were read.

### **MOTION:**

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

### **VOTE:**

Unanimous roll call vote.

## **CITY COUNCIL**

### **1. SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of January 6, the adjourned regular meeting of January 12, and the regular meeting of January 13, 2004.

**ACTION:** Approved the recommendation.

### **3. SUBJECT: AGREEMENT FOR SHARED MAINTENANCE COSTS OF SCHOOL PLAYING FIELDS (150.05)**

**RECOMMENDATION:** That Council authorize the Parks and Recreation Director to enter into an agreement with the Santa Barbara School Districts for shared maintenance costs of the playing fields at La Cumbre Middle School, La Colina and Santa Barbara Jr. High Schools, and Franklin Elementary Schools for the period of July 1, 2003, to June 30, 2004.

**ACTION:** Approved the recommendation; Agreement No. 21,263 (January 27, 2004, Parks and Recreation Director's report).

### **4. SUBJECT: FISCAL YEAR 2004 INTERIM FINANCIAL STATEMENTS FOR THE FIVE MONTHS ENDED NOVEMBER 30, 2003 (250.02)**

**RECOMMENDATION:** That Council accept the Fiscal Year 2004 Interim Financial Statements for the Five Months Ended November 30, 2003.

**ACTION:** Approved the recommendation (January 27, 2004, Assistant Finance Director's report).

5. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION AMENDMENT FOR THE COMMUNITY DEVELOPMENT DEPARTMENT (410.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 03-049, the Position and Salary Control Resolution for Fiscal Year 2003-04, Affecting the Community Development Department Effective January 10, 2004.

ACTION: Approved the recommendation; Resolution No. 04-006 (January 27, 2004, Community Development Director's report; proposed resolution).

6. SUBJECT: AUTHORIZATION FOR SPENDING REDEVELOPMENT AGENCY FUNDS FOR 617 GARDEN STREET (660.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Predevelopment Loan to the Mental Health Association in Santa Barbara County for a Mixed Use Project Outside the Central City Redevelopment Project (CCRP) Area at 617 Garden Street Will Be of Benefit to the CCRP.

ACTION: Approved the recommendation; Resolution No. 04-007 (January 27, 2004, Community Development Director's report; proposed resolution).

## NOTICES

7. The City Clerk has on Thursday, January 22, 2004, 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 AND ORDINANCE COMMITTEE REPORTS**

### FINANCE COMMITTEE

8. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, JANUARY 27, 2004, 12:30 P.M., IN ROOM 15 (120.03)
  - A. Impacts of the Governor's Proposed State Budget; and
  - B. Fourth Quarter 2003 Investment Management Review (see Item No. 10).
9. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee reviewed and forwarded for Council acceptance the Fourth Quarter 2003 Investment Management Review (Agenda Item No. 10).

10. SUBJECT: INVESTMENT MANAGEMENT REVIEW (260.02)

RECOMMENDATION: That Council receive and accept the fourth quarter 2003 Investment Management Review from PFM Asset Management, LLC (PFM).

DOCUMENTS:

January 27, 2004, Finance Director's report.

SPEAKERS:

- Staff: Treasury Manager Cynthia Odell.
- PFM Asset Management: Managing Director Nancy Jones.

MOTION:

Councilmembers Secord/Falcone to accept the report.

VOTE:

Unanimous voice vote.

9. SUBJECT: REPORT FROM THE FINANCE COMMITTEE (Cont'd)

Finance Committee Chair Secord reported that the Committee had also heard a Staff report on the Governor's proposed State budget. Finance Director Robert Peirson then made comments to the Council and answered questions about the impacts the Governor's budget would have on local governments.

ORDINANCE COMMITTEE

11. SUBJECT: ORDINANCE COMMITTEE AGENDA, JANUARY 27, 2004, 1:00 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF PROPOSED INCLUSIONARY HOUSING ORDINANCE (120.03)

12. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Helene Schneider reported that the Committee reviewed and heard public comment about a proposed inclusionary housing requirement for new larger residential projects. The Committee continued its discussion of this issue to February 3, 2004.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

INFORMATION: Councilmember Horton described the work being done by the Santa Barbara County Jobs/Housing Steering Committee.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS AND REDEVELOPMENT AGENCY REPORTS**

CITY ADMINISTRATOR

13. SUBJECT: INTRODUCTION OF ORDINANCE FOR EXTENSION OF TEMPORARY RECREATIONAL VEHICLE PARKING PROVISIONS (660.04)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Section Two of City Ordinance No. 5222 with Respect to the Use of Recreational Vehicles as Temporary Overnight Accommodations Upon Paved Parking Areas Permitted for Churches and Nonprofit Institutions.

DOCUMENTS:

- January 27, 2004, City Administrator's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

- Staff: Special Projects Manager Don Olson.
- Members of the Public: Peter Marin, Committee for Social Justice; Bruce Rittenhouse.

MOTION:

Councilmembers Schneider/Barnwell to approve the recommendation.

VOTE:

Unanimous voice vote.

AIRPORT DEPARTMENT

14. SUBJECT: INTRODUCTION OF ORDINANCE FOR LEASE AGREEMENT WITH MERCURY AIR CENTER (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a five-year lease agreement with one five-year option, with Mercury Air Center-Santa Barbara, Inc., a California Corporation, for a Fixed Base Operation at 404 William Moffett Place, at the Santa Barbara Airport, for a monthly base rent of \$18,542, effective upon adoption of the ordinance; and

(Cont'd)

14. (Cont'd)

- B. 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 Mercury Air Center-Santa Barbara, Inc., for Operation of a Fixed Base Operation (FBO) at the Santa Barbara Airport.

DOCUMENTS:

- January 27, 2004, Airport Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Airport Director Karen Ramsdell.

MOTION:

Councilmembers Secord/Horton to approve the recommendations.

VOTE:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

15. SUBJECT: GRANADA GARAGE DESIGN UPDATE (550.05)

RECOMMENDATION: That Council receive an update and provide direction for the design of the Granada Garage Parking Structure.

DOCUMENTS:

- January 27, 2004, report from the Public Works Director and Community Development Director.
- PowerPoint presentation made by Staff.

SPEAKERS:

- Staff: Principal Civil Engineer John Schoof, Community Development Director Paul Casey, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Members of the Public: Heather Horne, Watry Design; Architect Henry Lenny.

MOTION:

Councilmembers Falcone/Secord to direct Staff to increase the interior roof height of the parking structure's underground levels from 7'-6" to 8'-6".

VOTE:

Majority voice vote (Noes: Councilmember Williams).

(Cont'd)

15. (Cont'd)

**MOTION:**

Councilmembers Falcone/Horton to determine that the Anapamu site will be either open space or open space combined with housing.

**VOTE:**

Unanimous voice vote.

**MOTION:**

Councilmembers Falcone/Barnwell to: direct Staff to move the housing portion of the project from the north side of the site to the south side; direct that the parking structure be moved 10 feet to the north; and emphasize that the construction of the garage is to move forward on the current timetable with no changes.

**VOTE:**

Unanimous voice vote.

**RECESS**

4:11 p.m. – 4:21 p.m.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS AND REDEVELOPMENT AGENCY REPORTS (CONT'D)**

**PUBLIC WORKS DEPARTMENT (CONT'D)**

16. SUBJECT: JOINT COUNCIL AND REDEVELOPMENT AGENCY REPORT FOR GRANADA GARAGE PLAN CHECK AND GEOTECHNICAL SERVICES CONTRACTS (550.05)

**RECOMMENDATION:** That Council:

- A. Authorize the Public Works Director to execute a contract with Esgil Corporation (Esgil) in the amount of \$29,900 for Plan Check Services, and to approve expenditures of up to \$3,000 for extra services of Esgil that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute a contract with Padre & Associates, Incorporated (Padre), in the amount of \$10,000 for Geotechnical Review Services, and to approve expenditures of up to \$1,000 for extra services of Padre that may result from necessary changes in the scope of work.

**DOCUMENTS:**

January 27, 2004, report from the Public Works Director and Community Development Director.

(Cont'd)

16. (Cont'd)

**SPEAKERS:**

Staff: Principal Civil Engineer John Schoof.

**MOTION:**

Council/Agency members Horton/Secord to approve the recommendations; City Council Contract Nos. 21,264 and 21,265.

**VOTE:**

Unanimous voice vote.

17. **SUBJECT: CAPITAL IMPROVEMENT PROGRAM SECOND QUARTER UPDATE (230.01)**

**RECOMMENDATION:** That Council receive, for information only, the Capital Improvement Projects Second Quarter Update for Fiscal Year 2004.

**DOCUMENTS:**

January 27, 2004, Public Works Director's report.

**SPEAKERS:**

Staff: Assistant Public Works Director/City Engineer Pat Kelly, who showed photographs of various capital projects in progress or completed during the second quarter; Wastewater System Manager Rebecca Bjork; City Administrator James Armstrong.

By consensus, the Council received the report.

18. **SUBJECT: THREE-YEAR PREQUALIFIED ENGINEERING SERVICES PROGRAM (530.01)**

**RECOMMENDATION:** That Council approve the selection of the following eight engineering firms to provide professional engineering services for the Three-Year Prequalified Engineering Services Program: Bengal Engineering, LP (Santa Barbara), Brown & Caldwell (Oxnard), Carollo Engineers (Santa Ana), CH2M Hill (Thousand Oaks), Flowers & Associates, Inc. (Santa Barbara), Harris & Associates (Ventura), MNS Engineers, Inc. (Santa Barbara), and RRM Design Group San Luis Obispo).

**DOCUMENTS:**

January 27, 2004, Public Works Director's report.

**SPEAKERS:**

Staff: Principal Civil Engineer John Ewasiuk, City Attorney Stephen Wiley.

(Cont'd)

18. (Cont'd)

**MOTION:**

Councilmembers Horton/Williams to approve the recommendation.

**VOTE:**

Unanimous voice vote.

19. **SUBJECT: INTRODUCTION OF ORDINANCE FOR EL ESTERO WASTEWATER TREATMENT PLANT ELECTRICITY (540.13)**

**RECOMMENDATION:** That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Service Contract Agreement for Cogeneration at the El Estero Wastewater Treatment Plant Between the City of Santa Barbara and Alliance Power Incorporated (Alliance) for the Purchase of Electricity.

**DOCUMENTS:**

- January 27, 2004, Public Works Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

**SPEAKERS:**

Staff: Wastewater System Manager Rebecca Bjork.

**MOTION:**

Councilmembers Secord/Schneider to approve the recommendation.

**VOTE:**

Unanimous voice vote.

**RECESS**

4:57 p.m. – 5:02 p.m.

**CLOSED SESSIONS**

20. **SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING 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 Najmeh Brown v. City of Santa Barbara, et al., SBSC Case No. 1131536.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

(Cont'd)

20. (Cont'd)

DOCUMENTS:

January 27, 2004, City Attorney's report.

TIME:

5:02 p.m. – 5:18 p.m.

No settlement approved.

21. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING 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 Gloria Garcia v. City of Santa Barbara, et al., SBSC Case No. 1132095.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

DOCUMENTS:

January 27, 2004, City Attorney's report.

TIME:

5:18 p.m. – 5:34 p.m.

No settlement approved.

22. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING 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 Lari Davis v. City of Santa Barbara, SBSC Case No. 1112237.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

DOCUMENTS:

January 27, 2004, City Attorney's report.

TIME:

5:34 p.m. – 5:50 p.m.

No settlement approved.

## **RECESS**

5:50 p.m. – 6:01 p.m. The City Council reconvened in the Council Chamber.

Mayor Blum presiding.

Councilmembers present: Barnwell, Falcone, Horton, Schneider, Secord, Williams, Mayor Blum.

Councilmembers absent: None.

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

### **ANNOUNCEMENT:**

City Attorney Stephen Wiley reported that the Council met in closed session for Item Nos. 20, 21 and 22; no reportable action was taken during the closed sessions.

## **PUBLIC COMMENT**

No one wished to speak.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PARKS AND RECREATION DEPARTMENT**

#### **23. SUBJECT: INTEGRATED PEST MANAGEMENT STRATEGY (330.01)**

**RECOMMENDATION:** That Council approve the proposed Citywide Integrated Pest Management (IPM) Strategy.

#### **DOCUMENTS:**

- January 27, 2004, Parks and Recreation Director's report.
- PowerPoint presentation made by Staff.
- November 6, 2003, letter from Arline Young.
- November 19, 2003, letter from Phil Boise.
- January 20, 2004, letters from Lisa Ann Kelly; Pesticide Awareness and Alternatives Coalition.
- January 21, 2004, letter from the Environmental Defense Center.
- January 23, 2004, e-mail communication from Laurie Parker.
- January 25, 2004, letters from the Santa Barbara Audubon Society; Town of Fairfax, California.
- January 27, 2004, letter from the Community Environmental Council.
- Santa Barbara News-Press editorial written by Matthew Margulies.
- Brochure published by the Channel Islands Animal Protection Association (CHIAPA).

(Cont'd)

23. (Cont'd)

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Jeff Cope, Creeks Restoration/Clean Water Manager Jill Zachary, Parks and Recreation Director Richard Johns.
- Members of the Public: Karen Feeney, Community Environmental Council; Ada Babine, Sierra Club; Eric Cardenas, Environmental Defense Center; Joshua Chittick; Greg Chittick; Jim Smallwood, Pesticide Awareness and Alternatives Coalition; Larry Saltzman, Santa Barbara Organic Garden Club; Leo Federman, Pesticide Awareness and Alternatives Coalition; Pedro Nava, Santa Barbara County Action Network; Jonathan Southard; Matthew Margulies.

RECESS: 7:35 p.m. – 7:46 p.m.

SPEAKERS (Cont'd)

- Staff: City Attorney Stephen Wiley, City Administrator James Armstrong.
- Members of the Public: Bob Young; Julie Schloss, Pesticide Awareness and Alternatives Coalition; Mary Anne Morrison, Dog PAC Santa Barbara; Scarlet Newton, Channel Islands Animal Protection Association; Darlene Chirman, Santa Barbara Audubon Society; Estelle Foster; Cheryl Swanson; Dorothy Dent; Lisa Ann Kelly, Dog PAC Santa Barbara; Nancy Black, Pesticide Awareness and Alternatives Coalition.

MOTION:

Councilmembers Falcone/Barnwell to: approve the proposed Citywide Integrated Pest Management (IPM) Strategy; state the goal of a pesticide-free community in totality and Council's commitment to the Precautionary Principle of pest management; add Alameda, La Mesa and Stevens Parks to the list of pesticide-free parks; increase the membership of the IPM Working Group to include two members of the public, one from the environmental community (possibly an IPM expert) and one park user; and direct the implementation of a process for appeal to the Park and Recreation Commission.

VOTE:

Unanimous voice vote.

MOTION:

Mayor Blum/Councilmember Secord to direct the Park and Recreation Commission to submit recommendations, in the form of a resolution, for the formation of a citizens' subcommittee which will work with the IPM Working Group.

VOTE:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 8:57 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST: \_\_\_\_\_

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MARTY BLUM  
MAYOR

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