

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
February 13, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:00 p.m.
The Finance and Ordinance Committees, which are ordinarily
scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE:

Mayor Harriet Miller.

ROLL CALL:

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert
Garcia, Tom Roberts, Dan B. Secord, Mayor Miller.

Councilmembers absent: Gregg A. Hart.

Staff present: City Administrator/Clerk Sandra Tripp-Jones, City
Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT:

1. Ken Loch spoke.

180.03

CONSENT CALENDAR Item Nos. 2 10):

MOTION:

Councilmembers Roberts/Garcia to approve the Consent
Calendar as recommended.

VOTE:

Unanimous voice vote Absent: Councilmember Hart).

2. Recommendation that Council waive the reading and approve the minutes of the regular meetings of January 23, and January 30, 2001.

Concurred with the recommendation.

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3. Re: CIVIL SERVICE COMMISSION AND HISTORIC LANDMARKS
COMMISSION RECRUITMENT Recommendation that Council:
- A. Set Monday, March 5, 2001, at 5:00 p.m. as the deadline for receipt of applications in the City Clerk's Office for a Civil Service Commission position due to a resignation accepted by the City Council on January 9, and a Landscape Architect position on the Historic Landmarks Commission due to a resignation accepted by Council on February 6, 2001;
 - B. Set Tuesday, March 20, 2001, at 2:00 p.m. for interviews of applicants; and
 - C. Set Tuesday, March 27, 2001, for appointments to the Civil Service Commission and Historic Landmarks Commission.

Concurred with the recommendations February 9, 2001
City Administrator's report).

140.05
X
420.03
Membership
X
640.03
HLC Membership

4. Re: APPLICATION FOR PARK PLAYGROUND ACCESSIBILITY AND
RECYCLING GRANT PROGRAM--PLAZA VERA CRUZ Recommendation
that Council adopt, by reading of title only, A Resolution
of the Council of the City of Santa Barbara Approving the
Filing of a California Integrated Waste Management Board
(CIWMB) Grant Application for the Park Playground
Accessibility and Recycling Grant Program.

Concurred with the recommendation; Resolution No.
01-012 February 9, 2001 City Administrator's report).

570.07
Playgrounds

5. Re: PROFESSIONAL SERVICES CONTRACT WITH COFFMAN ASSOCIATES,
FOR THE AIRPORT Recommendation that Council:
 - A. Approve the selection of Coffman Associates to conduct an update of the Airport's Federal Aviation Regulation (FAR) Part 150 Noise Study;
 - B. Approve and authorize the City Administrator to execute a Professional Services Contract with Coffman

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Associates to update the Airport's 1989 FAR Part 150
Noise Compatibility Study for a not-to-exceed amount of
\$315,000; and

- C. Appropriate \$315,000 to the FY 2001 Airport FAA Capital
Projects Fund budget.

Concurred with the recommendations; Contract No. 20,139
February 9, 2001 City Administrator's report).

560.14

6. Re: STANDARDIZATION OF FIRE DEPARTMENT TURNOUT" GEAR
Recommendation that Council:

- A. Find it in the City's best interest to standardize on
the purchase of Globe" turnout gear for the City Fire
Department;
- B. Authorize the General Services Manager to acquire
Globe" turnout gear through a process of soliciting
competitive bids from vendors who manufacture or
distribute Globe" turnout gear without alternatives or
substitutions, pursuant to Section 4.52.080(k) of the
Santa Barbara Municipal Code.

Concurred with the recommendations February 9, 2001
City Administrator's report).

520.03

Admin., Pol. & Proc.

Notices to be filed:

7. that the City Clerk has on Friday, February 9, 2001, at 3:00
p.m. duly 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.
8. of Redevelopment Agency meeting, February 13, 2001, at
2:00 p.m. in the Council Chamber.

620.03
Agendas

9. of joint City Council/Redevelopment Agency meeting, February 13, 2001, at 2:00 p.m. to consider Item No. 11 on the Council Agenda and Item No. 3 on the Redevelopment Agency Agenda.

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620.03
Agendas

10. of cancellation of the regular City Council meeting of March
13, 2001, due to lack of a quorum.

120.09

This completed the Consent Calendar.

RECESS:

2:04 p.m. 2:05 p.m., during which time the first portion of the
Redevelopment Agency agenda was completed.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION:

The City Council and the Redevelopment Agency convened in joint
session at 2:05 p.m.

ADMINISTRATIVE REPORTS:

Community Development Department

11. Re: 821 E. FIGUEROA--GRANT FOR ACQUISITION BY THE HOUSING
AUTHORITY Recommendation that Council:

- A. Adopt, by reading of title only, A Resolution of the
City Council of the City of Santa Barbara Awarding a
Grant in the Amount of \$160,000 in Home Investment
Partnerships Program Funds to the Housing Authority of
the City of Santa Barbara for the Acquisition of 821 E.
Figueroa Street; and
- B. Authorize the City Administrator to enter into a grant
agreement with the Housing Authority of the City of
Santa Barbara in the amount of \$160,000 in a form
acceptable to the City Attorney; and

C. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Grant to the Housing Authority of the City of Santa Barbara for the Acquisition of 821 E. Figueroa Street, Which is Outside of the Central City Redevelopment Project CCRP) Area, Will be of Benefit to the CCRP.

Considered with Redevelopment Agency Agenda Item

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No. 3)

CITY COUNCIL DOCUMENTS:

February 9, 2001 City Administrator's report.
Proposed Resolutions.

REDEVELOPMENT AGENCY DOCUMENTS:

February 9, 2001 Executive 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 Awarding a Grant of \$90,000 in Agency
Housing Setaside Funds to the Housing Authority of
the City of Santa Barbara for Acquisition of a
Rental Housing Project Located Outside the Central
City Redevelopment Project Area at 821 E. Figueroa
Street; and
B. Authorize the Executive Director of the Agency to
execute a grant agreement with the Housing
Authority of the City of Santa Barbara and other
documents related to the transaction in a form
acceptable to Agency Counsel.
Proposed Resolution.

SPEAKERS:

Staff: Project Planner Simon Kiefer, Community
Development Director/Deputy Director David Davis.
Housing Authority of the City of Santa Barbara:
Executive Director Robert Pearson.

MOTION:

Council/Agency members Secord/Roberts to concur with
the recommendations; City Council Resolution Nos. 01-
013 and 01-014; City Council Agreement No. 20,140;
Redevelopment Agency Resolution No. 945; Redevelopment
Agency Agreement No. RO-367.

VOTE:

Unanimous roll call vote Absent: Council/Agency

member Hart).

660.04
Affordable Housing Devel.
X
660.03
Housing Authority Actions

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The City Council and Redevelopment Agency joint session concluded at 2:22 p.m. The Redevelopment Agency meeting was adjourned at 2:22 p.m. The Council meeting remained in session.

ADMINISTRATIVE REPORTS:

Community Development Department

12. Re: INITIATION OF ZONING ORDINANCE AMENDMENTS

Recommendation that Council:

- A. Consider the implications of allowing new residential uses in the M-1 Light Manufacturing Zone;
- B. Initiate amendments to the Zoning Ordinance to:
 1. Allow limited new residential uses in the M-1 Zone north of Highway 101; and
 2. Establish specific requirements and standards for live/work space in all commercial zones of the City; and
- C. Direct Staff to work with the Planning Commission regarding possible zoning amendments that would protect the viability of industrial uses in the M-1 Zone.

Continued from February 6, 2001, Item No. 12)

DOCUMENTS:

February 2, 2001 City Administrator's report.

SPEAKERS:

Staff: Senior Planner Elizabeth Limón, City Administrator Sandra Tripp-Jones.

Members of the Public: Richard Ross; Catherine McCammon, Citizens Planning Association.

MOTION:

Councilmembers Roberts/Blum to concur with the recommendations.

VOTE:

Majority voice vote Noes: Councilmember Secord; Absent: Councilmember Hart).

640.09
Zoning Ordinance Amendment

REQUESTS FROM THE PUBLIC:

16. Re: CONEJO ROAD LANDSLIDE AREA Request from Attorney Jana Zimmer that Council consider amendments to the Conejo Slide

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Ordinance.

Staff recommendation that Council not amend Municipal Code Chapter 22.90, Construction Prohibited in the Vicinity of the Conejo Road Landslide," to allow the reconstruction of existing buildings in the Conejo Landslide Area, as requested by Jana Zimmer, Attorney at Law, representing the owners of 1761 Sycamore Canyon Road.

Continued from February 6, 2001, Item No. 14;
Estimated Time: 3:00 p.m.)

DOCUMENTS:

Previous documents submitted February 6, 2001.
February 12, 2001 City Administrator's report.
April 18, 2000 report by Frank J. Kenton, presenting data and opinions concerning the development requirements and limitations found in the City's Conejo Road Landslide Ordinance.
February 9, 2001 letter from Frank J. Kenton.
February 7, 2001 letter from William Anikouchine.
February 13, 2001 letter from Attorney Jana Zimmer.
February 13, 2001 letter from Leland and Debra Kirchhoff.

SPEAKERS:

Staff: Chief Building Official George Estrella, Community Development Director David Davis, City Administrator Sandra Tripp-Jones, City Attorney Daniel Wallace.
Consultant to the City: Certified Engineering Geologist Frank J. Kenton.
Members of the Public: Jana Zimmer, Attorney representing Leland and Debra Kirchhoff; William Anikouchine; Debra Kirchhoff; Bruce Rittenhouse.

MOTION:

Councilmembers Garcia/Blum to concur with the Staff recommendation.

VOTE:

Majority voice vote Noes: Councilmembers Fairly,
Roberts; Absent: Councilmember Hart).

640.04

Conejo Road Landslide Area

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4:10 p.m. 4:17 p.m.

REQUESTS FROM THE PUBLIC:

14. Re: FIGHTING BACK REPORT Request from Fighting Back to present the annual Fighting Back Community Alcohol and Drug Indicator Report for Santa Barbara.

DOCUMENTS:

January 24, 2001 letter from Santa Barbara's Fighting Back.

Measuring Up: Facing the Challenge of Substance Abuse 2000 Community Indicators Report on Substance Abuse on the South Coast."

SPEAKERS:

Fighting Back: Project Director Penny Jenkins, Youth Service System Coordinator Nancy Bratcher.

DISCUSSION:

The Fighting Back representatives discussed the organization's efforts to achieve three primary goals: 1) reducing youth substance abuse; 2) increasing substance abuse treatment services; and 3) reducing excessive alcohol consumption and related mayhem.

520.04

Alcohol & Drug; Fighting Back

15. Re: PETITION TO RESTRICT THE NARROWING OF CITY STREETS

Request from Gregory D. Young that the public be informed as to the legality of an initiative petition to restrict the narrowing of certain City streets.

Staff recommendation that the Council receive a report regarding the initiative to amend the Local Coastal Program for State Street, Cabrillo Blvd. and Shoreline Dr.

DOCUMENTS:

January 22, 2001 letter from Gregory D. Young.

November 6, 2000 City Attorney's memorandum enclosing a legal opinion concerning a proposed initiative petition by the Santa Barbara Streets R Us Committee.

February 9, 2001 City Attorney's report.

February 12, 2001 letter from the Santa Barbara Streets

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R Us Committee.

SPEAKERS:

Staff: City Attorney Daniel Wallace, City
Administrator Sandra Tripp-Jones.

Members of the Public: James E. Marino; Robert L.
French; Elisabeth Donati, Streets R Us Committee;
Martha Santrizos; Timothy Harding and S. Dorothy Fox,
Mesa Shoreline Park Association; Vasanti Fithian.

By consensus, the Council concurred with the Staff
recommendation.

110.03
Initiatives Narrowing Certain Streets)

RECESS: 5:05 p.m. 6:00 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Garcia, Roberts, Secord, Mayor
Miller.

Councilmembers absent: Fairly, Hart.

Staff present: City Administrator/Clerk Tripp-Jones, City
Attorney Wallace, Deputy City Clerk Tschech.

PUBLIC COMMENT:

21. No one wished to speak.

180.03

MAYOR AND COUNCIL MATTERS:

22. Re: CITY ADVISORY GROUP INTERVIEWS Recommendation that
Council:

A. Hold interviews of applicants to various City Advisory
Groups; and

B. Continue interviews of applicants to February 20, at 2:00 p.m.

DOCUMENTS:

February 9, 2001 City Administrator's report.
February 6, 2001 letter from Nels C. Henderson.
February 8, 2001 letter from Gregory K. Van Sande.

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SPEAKERS:

The following applicants were interviewed:

Airport Commission:

Paul E. Kremser, Jr.
Dan McKinnon
Peter Mackins
Charles R. Quintero

Architectural Board of Review:

Richard S. Six
Stephanie K. Christoff
James A. Schwan, Sr.
Carol Gross

Building and Fire Code Board of Appeals:

Larry Wayne Grantham

Central Coast Commission for Senior Citizens Area

Agency on Aging:

Billie E. Dodson

Civil Service Commission:

Charles R. Quintero

Community Events and Festivals Committee:

Judy Nilsen

Creeks Restoration & Water Quality Improvement Program

Citizen Advisory Committee:

Paul Bradford
Jessica Altstatt
Sharyn Main
Thomas F. Phillips

Creeks Restoration & Water Quality Improvement Program

Citizen Advisory Committee Cont'd):

Greg Boller
Eric E. Kelley
John C. Jostes
Robert E. Thiel

Douglas Family Preserve Advisory Committee:

Paul Bradford
Wendy Hawksworth
Miriam Metzger

Downtown Parking Committee:

Kate Schwab

Fire and Police Commission:

Charles R. Quintero

Fire and Police Pension Commission:

A. L. Lundy

Harbor Commission:

Charles R. Quintero

Historic Landmarks Commission:

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Larry Wayne Grantham
Douglas Bartoli
Vadim M. Hsu
Edward A. Edick

Lower Westside Center Advisory Committee:

Marisela Marquez
Lydia L. Aguirre

Planning Commission:

James A. Schwan, Sr.
Vadim M. Hsu

Public Access Advisory Committee:

Dusty Miller

Recreation Commission:

Michael Magne

Rental Housing Mediation Task Force:

Larry Wayne Grantham
Martha Barsante
Howard Hawkes
Michael Daniel Bifano

Santa Barbara Metropolitan Transit District Board of
Directors:

David J. Landecker

Transportation and Circulation Committee:

Carlos Jimenez, Jr.
Jonathan Maguire

Water Commissioners, Board of:

Steven M. Little
Arlie M. Skov

Westside Center Advisory Committee:

Mirna Ramos

By consensus, the Council concurred with recommendation
B.

140.05

ORDINANCES FOR INTRODUCTION:

17. Re: LEASE AGREEMENT WITH SEACOAST OF SANTA BARBARA,
125 HARBOR WAY, #10 Recommendation that Council:
- A. Find Seacoast of Santa Barbara a tenant in good standing for the purposes of renewing the lease agreement;
 - B. Approve and authorize the City Administrator to execute a five-year lease agreement, with one five-year option, with Seacoast of Santa Barbara, Inc. for a yacht

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brokerage office occupying 562 square feet of space at 125 Harbor Way #10, in the Santa Barbara Harbor, effective March 1, 2001 at a monthly rental rate of \$1,390 and a percentage rent based on gross receipts; and

- C. Introduce and subsequently 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, with Seacoast of Santa Barbara, Inc. for a Yacht Brokerage Office Occupying 562 Square Feet of Space at 125 Harbor Way #10, in the Santa Barbara Harbor.

DOCUMENTS:

February 9, 2001 City Administrator's report.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Blum to concur with the recommendations; Agreement No. 20,141; introduced the Ordinance as Bill No. 5198.

VOTE:

Unanimous voice vote Absent: Councilmembers Fairly, Hart).

330.04

Harbor: Mooring Agreements & Misc.

18. Re: LEASE AGREEMENT WITH THE BLUE WATER HUNTER, 117-D HARBOR WAY Recommendation that Council:

- A. Approve and authorize the City Administrator to execute a five-year lease agreement, with one five-year option, with Andy Taylor, d.b.a. The Blue Water Hunter, for an 852 square foot retail dive shop located at 117-D Harbor Way in the Santa Barbara Harbor, at an initial monthly rental rate of \$1,598.96 per month and a percentage rent based on gross receipts; and

B. Introduce and subsequently 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 Andy Taylor, d.b.a. The Blue Water Hunter, for an 852 Square Foot Retail Dive Shop Located at 117-D Harbor Way in the Santa Barbara Harbor.

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DOCUMENTS:

February 9, 2001 City Administrator's report.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Roberts to concur with the
recommendations; Agreement No. 20,142; introduced the
Ordinance as Bill No. 5199.

VOTE:

Unanimous voice vote Absent: Councilmembers Fairly,
Hart).

330.04

Harbor: Mooring Agreements & Misc.

RECESS:

7:35 p.m. 7:36 p.m.

CLOSED SESSIONS:

19. Re: CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION

Recommendation from the City Attorney that Council hold a
closed session to consider pending litigation pursuant to
subsection a) of section 54956.9 of the California
Government Code and take appropriate action as needed. The
pending litigation is Environmental Defense Center v Mineta,
No. SACV 00-1212 U.S. District Court.

Scheduling: Duration, 15 minutes; anytime

DOCUMENTS:

February 9, 2001 City Attorney's report.

TIME:

7:36 p.m. 7:45 p.m.; Councilmembers Fairly and Hart
were absent

ANNOUNCEMENT:

Following a brief recess, City Attorney Daniel Wallace announced that no reportable action was taken during the closed session.

160.03
Closed Sessions

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7:45 p.m. 7:46 p.m.

The City Council reconvened in the Council Chamber. City Attorney Daniel Wallace reported on the Closed Session, Item No. 19.

CHANGES TO THE AGENDA:

Items Continued to Future Meetings

The Council agreed to defer the following two items to future meetings:

13. Re: CREEK POLICY UPDATE WORK PROGRAM Recommendation that Council:

- A. Receive a presentation from Staff on the proposed work program for the Creek Policy Update;
- B. Approve the work program, initiate amendments to the Municipal Code and the Master Environmental Assessment, and declare the amendments as a project for compliance with California Environmental Quality Act (CEQA) provisions; and
- C. Allocate \$40,000 from the General Fund Appropriated Reserve for Clean Water and Creeks Restoration to the Fiscal Year 2001 General Fund Parks and Recreation budget, Clean Water and Creeks Restoration Program, for technical consulting services.

540.14

20. Re: CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Recommendation from the City Administrator that Council hold a closed session to consider instructions to City staff and the City Attorney regarding possible real property negotiations with Robert Ludwick and Jay D. Jaeger, representative of the owner, J/L Santa Barbara Investments,

LLC, and the owner's designated broker/agent, Scott R. Glenn, Pacifica Commercial Realty, regarding the real property located at 615 and 617 Garden Street and 231 and 235 East Cota Street APN 031-152-025). Instructions to negotiators will direct staff to negotiate the terms of a possible acquisition of the above-referenced real property pursuant to the authority of section 54956.8 of the Government Code. Negotiations will be conducted by David

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Johnson, Public Works Director, designated Public Works staff, including Don Irelan, Senior Real Property Agent, and the City Attorney, with Robert Ludwick and Jay D. Jaeger, and Scott R. Glenn, Pacifica Commercial Realty, as representatives of the Property Owner. Under Negotiation: price, terms of payment, possible escrow instructions.

Scheduling: Duration, 15 minutes; anytime

330.03

General

ADJOURNMENT:

Mayor Miller adjourned the meeting at 7:47 p.m.

SANTA BARBARA CITY COUNCIL MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

HARRIET MILLER
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK