



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 14, 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 and Ordinance Committees, which are 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, Gregg A. Hart, Dan B. Secord, Mayor Blum.

Councilmembers absent: Roger L. Horton.

Staff present: Acting City Administrator Peter K. Wilson, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

Proclamations

1. PROCLAMATION DECLARING THE WEEK OF MAY 13 - 17, 2002, AS GIRLS' RIGHTS WEEK (120.04)

ACTION: Proclamation presented to Lorilee Torrey, representing Girls, Inc.

2. PROCLAMATION DECLARING THE WEEK OF MAY 18 - 24, 2002, AS SAFE BOATING WEEK (120.04)

ACTION: Proclamation presented to U.S. Coast Guard Auxiliary representative Hayward Gatch, Santa Barbara Harbor Patrol Sergeant Ed Stetson, U.S. Coast Guard MSTC Troy Rentz, and Santa Barbara Yacht Club representative Kenneth Clements.

Letters of Recognition

3. CERTIFICATE OF COMMENDATION TO MAESTRO HENRY BRANT (120.08)

ACTION: Certificate of Commendation presented to Maestro Brant.

PUBLIC COMMENT

SPEAKERS: Anne French, Ken Loch and Tom Becker.

CONSENT CALENDAR (Item Nos. 4 - 13)

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the special meeting of April 29, 2002, and the regular meeting of April 30, 2002.

ACTION: Approved the recommendation.

5. SUBJECT: ADVISORY GROUP RESIGNATION (580.03)

RECOMMENDATION: That Council accept the resignation of Francisco Siordia, Jr., from the Franklin Center Advisory Committee.

ACTION: Approved the recommendation (April 26, 2002, letter of resignation).

6. SUBJECT: ADVISORY GROUP RESIGNATION (580.03)

RECOMMENDATION: That Council accept the resignation of Joe DeForest from the Franklin Center Advisory Committee.

ACTION: Approved the recommendation (April 16, 2002, letter of resignation).

7. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH URS GREINER WOODWARD CLYDE (URS) LAS VEGAS CREEK RESTORATION PROJECT – FAA AIP 3-06-0235-28 (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with URS at a total fee not to exceed \$117,890, for design services associated with the Las Vegas Creek Restoration Project - FAA AIP 3-06-0235-28; and
- B. Authorize the Public Works Director to approve extra services of URS that may result from necessary changes in the scope of work at a total amount not to exceed \$9,400.

ACTION: Approved the recommendations; Contract No. 20,633 (May 14, 2002, Public Works Director's report).

8. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH SEMANA NAUTICA (230.02)

RECOMMENDATION: That the City Council approve and authorize the Finance Director to execute the Community Promotion contract for Fiscal Year 2002 with Semana Nautica in the amount of \$3,182 for May 1, 2002, to July 15, 2002.

ACTION: Approved the recommendation; Contract No. 20,634 (May 14, 2002, Finance Director's report).

9. SUBJECT: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PROGRAM GRANT OFFER FOR THE SANTA BARBARA MUNICIPAL AIRPORT (560.01)

RECOMMENDATION: That Council:

- A. Accept the FAA Grant offer of \$131,072 in Airport Improvement Program Funds for Project No. 3-06-0235-29 for allowable operational security expenses;
- B. Appropriate \$131,072 to the FY 2002 Airport FAA Capital Programs Fund Budget; and
- C. Authorize the City Administrator to execute on behalf of the City the subject Grant Offer of the United States of America through the Federal Aviation Administration/Department of Transportation to pay the United States share of the allowable costs for security as required by Public Law 107-117, at the Santa Barbara Airport.

ACTION: Approved the recommendations; Agreement No. 20,635 (May 14, 2002, Airport Director's report).

10. SUBJECT: LEGISLATIVE REPORT (160.02)

RECOMMENDATION: That Council take the following action regarding legislative matters:

- A. SUPPORT AB 1886 (Jackson), which would double or increase the fines of specified violations relating to rules of the road and driving under the influence for a violation occurring in a specially posted school zone in a city or county that passes an ordinance opting for the application of this law;
- B. SUPPORT AB 2368 (Pacheco), which would make certain changes to the Election Code;
- C. SUPPORT AB 2577 (Cox), which would require the Department of Alcoholic Beverage Control (ABC) to determine whether a license issued under a local governing body's Public Convenience and Necessity determination should be issued subject to conditions outlined by the local governing body;
- D. SUPPORT SB 1489 (Perata), which would extend existing provisions that allow a peace officer to arrest and take into custody any person engaged in a motor vehicle speed contest and permit the peace officer to cause the removal and seizure of the motor vehicle used in the contest to those persons engaged in reckless driving on a highway, reckless driving in an off-street parking facility, or an exhibition of speed on a highway; and
- E. 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 (May 14, 2002, City Administrator's report).

NOTICES

- 11. The City Clerk has on Friday, May 10, 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.
- 12. The City Council will conduct a site visit on Monday, May 20, 2002, at 1:30 p.m. to the property located at 2221 Anacapa Street, which is the subject of an appeal hearing set for May 21, 2002, at 6:00 p.m.
- 13. Cancellation of the regular City Council meeting of May 28, 2002, due to lack of a quorum. (120.09)

This concluded the Consent Calendar.

REPORTS FROM COUNCILMEMBERS ON COMMITTEE ASSIGNMENTS

INFORMATION: Councilmember Secord reported on task force meetings and a conference he had attended, both dealing with solid waste issues.

RECESS

2:20 p.m. - 2:24 p.m., during which time the Redevelopment Agency meeting, Item Nos. 14 and 15, was held.

ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

16. SUBJECT: ONTARE ROAD SPEED CUSHION DEMONSTRATION PROJECT (530.05)

RECOMMENDATION: That Council:

- A. Receive a staff report on the effectiveness of the Ontare Road Speed Cushion Project;
- B. Support staff's finding that the demonstration did not meet all of its intended goals, and therefore the speed cushions should be removed; and
- C. Direct staff to work with area residents to find effective and acceptable speed reducing alternatives for Ontare Road, and return to Council within 90 days with recommendations.

DOCUMENTS:

- May 14, 2002, Public Works Director's report.
- May 7, 2002, letter and petition from residents and neighbors of Ontare Road.

SPEAKERS:

- Staff: Supervising Transportation Engineer Derek Rapp, Transportation Operations Parking Manager George Gerth.
- Members of the Public: Tom Becker; Scott Wenz, Santa Barbara County Taxpayers Association and Cars Are Basic; Len Jarrott; Trey Pinner; Richard Ruiz; Milton Hammer.

MOTION:

Councilmembers Hart/Secord to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

RECESS

3:16 p.m. - 3:27 p.m. Councilmembers Hart was absent when the Council reconvened.

REQUESTS FROM THE PUBLIC

17. SUBJECT: PRESENTATION BY SANTA BARBARA REGION ECONOMIC COMMUNITY PROJECT (650.11)

RECOMMENDATION: That Council hear a presentation by the Santa Barbara Region Economic Community Project of its "SCOPE" computer growth model.

DOCUMENTS:

April 30, 2002, letter from the Santa Barbara Region Economic Community Project.

SPEAKERS:

Economic Community Project: Board of Directors President Jon Clark.

DISCUSSION:

Mr. Clark showed a video describing the Project's SCOPE (South Coast Outlook and Participation Experience) computer growth model and how this model will be used to produce a Regional Impacts to Growth Study. Councilmembers' questions were answered.

ORDINANCES FOR INTRODUCTION

18. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 16,358 / DEVIL & THE DEEP BLUE SEA (330.04)

RECOMMENDATION: That Council:

- A. Find the Ewing Family Corporation, dba Devil & the Deep Blue Sea, 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. 16,358 for Devil & the Deep Blue Sea, 219-C Stearns Wharf, from the Ewing Family Corporation to Jon Marshall; 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. 16,358 for Devil & the Deep Blue Sea, 219-C Stearns Wharf, from the Ewing Family Corporation to Jon Marshall.

(Cont'd)

18. (Cont'd)

DOCUMENTS:

- May 14, 2002, Waterfront Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Waterfront Business Manager Scott Riedman.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations.

VOTE:

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

Councilmember Fodayemi left the meeting at 3:52 p.m.

19. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 12,081 / THE CHANDLERY (330.04)

RECOMMENDATION: That Council:

- A. Find the Coast Chandlery on the Breakwater, Inc., d.b.a. The Chandlery, 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 and Amendment of Lease Agreement No. 12,081 from Coast Chandlery on the Breakwater, Inc., to West Marine Products, Inc., for the 5,219 square foot lease premises located at 132 Harbor Way, in the Santa Barbara Harbor;
- 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 and Amendment of Lease Agreement No. 12,081 from Coast Chandlery on the Breakwater, Inc., to West Marine Products, Inc., for the 5,219 Square Foot Lease Premises Located at 132 Harbor Way, in the Santa Barbara Harbor; and
- D. Approve a sublease between West Marine Products, Inc., and Coast Chandlery on the Breakwater, Inc., for the Chandlery Yacht Brokerage and Marine Services on the second floor of 132 Harbor Way.

DOCUMENTS:

- May 14, 2002, Waterfront Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

(Cont'd)

19. (Cont'd)

SPEAKERS:

- Staff: Waterfront Director John Bridley.
- Members of the Public: Bob Kieding, Coast Chandlery on the Breakwater; Bruce Edwards, West Marine Products.

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Hart, Horton).

Councilmember Fodayemi returned to the meeting at 3:58 p.m.

COUNCIL/STAFF COMMUNICATIONS

INFORMATION: Mayor Blum stated that as a result of the decision against the City in the recent lawsuit, changes will be made at the Police Department to better reflect the values of equality, fairness and diversity in which the City has always believed.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:00 p.m., to Monday, May 20, 2002, at 1:30 p.m. for a site visit to 2221 Anacapa Street.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK