



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
October 2, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA**

CALL TO ORDER

Mayor Pro Tempore Dan B. Secord called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 1:00 p.m. The Finance Committee, which is ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Secord.

ROLL CALL

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert Garcia, Gregg A. Hart, Tom Roberts, Mayor Pro Tempore Secord.
Councilmembers absent: Mayor Harriet Miller.
Staff present: Acting City Administrator/Clerk Peter K. Wilson, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

Proclamations

1. SUBJECT: ISSUANCE BY THE MAYOR OF A PROCLAMATION DECLARING THE WEEK OF OCTOBER 7 - 13, 2001, AS FIRE PREVENTION WEEK (120.04)

Proclamation presented to City Fire Marshall Janaki Wilkinson and City Deputy Fire Chief Mitch Vaughn.

Presentations

2. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARDS (410.01)

RECOMMENDATION: That Council authorize Peter K. Wilson, Acting City Administrator, to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2001.

DOCUMENTS:

September 28, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Acting City Administrator Peter Wilson.

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

30-Year Pin

Daniel Toro, Public Works

20-Year Pin

Roger Aceves, Police

Patricia Eble, Public Works

15-Year Pin

Brad Landreth, Finance

Errol Murphy, Police

David Evans, Public Works

10-Year Pin

Susan Tschech, Administrative Services

James Freer, Parks and Recreation

Robert Dayton, Public Works

John Ewasiuk, Public Works

Peter Wessel, Public Works

PUBLIC COMMENT

SPEAKERS: Brian Dunlap and David Daniel Diaz.

CONSENT CALENDAR (Item Nos. 3 - 14)

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Mayor Miller).

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of September 18, 2001.

ACTION: Approved the recommendation.

4. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE TWO MONTHS ENDED AUGUST 31, 2001 (250.02)

RECOMMENDATION: That Council accept the Fiscal Year 2002 Interim Financial Statements for the two months ended August 31, 2001.

ACTION: Approved the recommendation (September 28, 2001, Acting City Administrator's report).

5. SUBJECT: APPROVAL OF BENEFIT PLANS EFFECTIVE JANUARY 1, 2002 (430.06)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Electing to be Subject to the Public Employees' Medical and Hospital Care Act Effective January 1, 2002;
- B. Approve renewal of the self-insured City Dental Plan at the rates specified in Schedule "B";
- C. Approve renewal of the Blue Cross Dental Net group dental plan at the rates specified in Schedule "B";
- D. Approve renewal of the self-insured Vision Service Plan (VSP) at the rates specified in Schedule "B";
- E. Approve renewal of the Magellan Psychological Plan and Employee Assistance Program (EAP) at the rates specified in Schedule "B";
- F. Approve renewal of the City's Flexible Spending Account (FSA) and Dependent Care Assistance Plan (DCAP) programs at the rates specified in Schedule "B"; and
- G. Approve renewal of the long-term disability, short-term disability, and life insurance programs through the Hartford at the rates specified in Schedule "C".

ACTION: Approved the recommendations; Resolution No. 01-115 (September 28, 2001, Acting City Administrator's report).

6. SUBJECT: AMENDMENT TO THE POSITION AND SALARY CONTROL RESOLUTION (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. 01-064, the Position and Salary Control Resolution for Fiscal Year 2001-2002, Affecting the General, Confidential, Treatment & Patrol, and Supervisor Salaries Effective October 6, 2001.

ACTION: Approved the recommendation; Resolution No. 01-116 (September 28, 2001, Acting City Administrator's report).

7. SUBJECT: GOLF COURSE STORM DRAIN EMERGENCY REPAIR (570.02)

RECOMMENDATION: That Council appropriate \$70,000 in the Golf Fund from unappropriated reserve for capital to fund emergency repair to the golf course storm drain system.

ACTION: Approved the recommendation (September 28, 2001, Acting City Administrator's report).

8. SUBJECT: LEASE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, U.S. FOREST SERVICE, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a five-year Lease Agreement with the United States Department of Agriculture, U.S. Forest Service, for 82,732 square feet of ramp and 6,240 square feet of Building 315, 90 Dean Arnold Place, at the Santa Barbara Municipal Airport, effective October 1, 2001, for a monthly rental of \$6,693 exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,420 (September 28, 2001, Acting City Administrator's report).

9. SUBJECT: CARETAKER RENTAL AGREEMENTS (570.05)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute Parks and Recreation Department Caretaker Rental Agreements with the following Department employees:

(Cont'd)

9. (Cont'd)

INDIVIDUALS

Steve Spencer,
Sr. Grounds Maintenance Worker
Christopher Madden,
Pest Control Specialist

PARKS

Skofield Park
Franceschi Park

ACTION: Approved the recommendation; Agreement Nos. 20,421 and 20,422 (September 28, 2001, Acting City Administrator's report).

10. SUBJECT: LEGISLATIVE ANALYSIS AND RECOMMENDATIONS
(160.02)

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

- A. SUPPORT AB 687 (Thomson, Hertzberg), which would require each local emergency medical services agency (LEMSA) to implement a trauma care system; and
- B. Authorize the Mayor to send letters to and, as needed, contact the appropriate legislators, the League of California Cities and other appropriate parties to convey the City's position.

ACTION: Approved the recommendations (September 28, 2001, Acting City Administrator's report).

NOTICES

- 11. The City Clerk has on Friday, September 28, 2001, 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. Ordinance Committee meeting, October 2, 2001, at 1:00 p.m. in the Council Chamber for consideration of Commercial Fishermen's Berths in the Santa Barbara Harbor and the Waterfront Department's Slip Waiting List. (120.03)
- 13. Cancellation of Redevelopment Agency meeting, October 2, 2001, at 2:00 p.m. (620.03)
- 14. Cancellation of the regular City Council meeting of October 30, 2001, due to lack of a quorum. (120.09)

This completed the Consent Calendar.

REPORT FROM ORDINANCE COMMITTEE

15. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Marty Blum reported that the Committee had considered proposed Municipal Code amendments and resolutions pertaining to Harbor slip assignment policies for commercial fishermen and the slip waiting list. The Committee approved Staff recommendations for both issues, and the proposed ordinances and resolutions will be forwarded to the Council for its action.

ADMINISTRATIVE REPORTS

FINANCE DEPARTMENT

16. SUBJECT: EMPLOYEE MORTGAGE LOAN ASSISTANCE PROGRAM (430.03)

RECOMMENDATION: That Council:

- A. Hear a presentation from Staff on the Proposed Statement of Policies and Program Guidelines for an Employee Mortgage Loan Assistance Program;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting a Statement of Policies and Program Guidelines for an Employee Mortgage Loan Assistance Program; and
- C. Authorize the City Administrator to develop the necessary loan and security documents in a form acceptable to the City Attorney.

DOCUMENTS:

- September 28, 2001, Acting City Administrator's report.
- Proposed Resolution.

SPEAKERS:

- Staff: Acting City Administrator Peter Wilson, Finance Director Robert Peirson.
- Members of the Public: Joe Armendariz, Santa Barbara County Taxpayers Association; Wendy Hawksworth; Stan Thompson.

MOTION:

Councilmembers Roberts/Blum to approve the recommendations; Resolution No. 01-117.

VOTE:

Unanimous roll call vote (Absent: Mayor Miller).

PUBLIC WORKS DEPARTMENT

17. SUBJECT: DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN FOR IMPROVEMENTS AT CATER WATER TREATMENT PLANT (540.10)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the City Administrator as the Individual Authorized to Apply for the Drinking Water State Revolving Fund (DWSRF) Loan of \$12,800,000 for the City; Approving and Authorizing the City Administrator to Execute the DWSRF Loan Application; and Identifying the Water Fund as the Dedicated Source of Funding for Repayment of the Loan.

DOCUMENTS:

- September 28, 2001, Acting City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: Water Resources Manager Bob Roebuck.

MOTION:

Councilmembers Fairly/Roberts to approve the recommendation; Resolution No. 01-118.

VOTE:

Unanimous roll call vote (Absent: Mayor Miller).

Councilmember Fairly left the meeting at 2:58 p.m.

PARKS AND RECREATION DEPARTMENT

18. SUBJECT: DOUGLAS FAMILY PRESERVE CARETAKER PLAN (570.05)

RECOMMENDATION: That Council:

- A. Hear a staff report on (1) the status of the on-site caretaker trailer caretaker agreement and (2) the Parks and Recreation interim security measures for the Douglas Family Preserve; and
- B. Approve a proposal by the Parks and Recreation Department to place a temporary caretaker trailer on the previously approved caretaker trailer site at the Douglas Family Preserve pending completion, adoption and implementation of the Douglas Family Preserve Management Plan.

(Cont'd)

18. (Cont'd)

DOCUMENTS:

September 28, 2001, Acting City Administrator's report.

SPEAKERS:

- Staff: Parks and Recreation Director Richard Johns, Assistant Parks and Recreation Director Jeff Cope, Acting City Administrator Peter Wilson.
- Douglas Family Preserve Advisory Committee: Member Wendy Hawksworth.
- Members of the Public: Edita Rainak, Sue Higman.

MOTION:

Councilmember Garcia to direct Staff to retain the existing trailer and hire a new caretaker.

The motion died for lack of a second.

MOTION:

Councilmembers Roberts/Blum to approve the recommendations, including the hiring of a new caretaker.

VOTE:

Majority voice vote (Noes: Councilmember Garcia; Absent: Councilmember Fairly, Mayor Miller).

RECESS

3:33 p.m. - 3:39 p.m. Councilmember Hart was absent when the Council reconvened.

ADMINISTRATIVE REPORTS

FIRE DEPARTMENT

19. SUBJECT: ACCEPTANCE OF FEDERAL EMERGENCY MANAGEMENT AGENCY F.I.R.E. ACT GRANT OFFER FOR SANTA BARBARA FIRE DEPARTMENT (520.03)

RECOMMENDATION: That Council:

- A. Accept a grant from the Federal Emergency Management Agency in the amount of \$228,735 for the purchase of PPE, Personal Protective Equipment; and
- B. Increase fiscal year 2002 estimated General Fund revenue in the amount of \$228,735 and appropriate the funds to the fiscal year 2002 Fire Department budget.

19. (Cont'd)

DOCUMENTS:

September 28, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Deputy Fire Chief Mitch Vaughn.

MOTION:

Councilmembers Garcia/Blum to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Hart, Mayor Miller).

Councilmember Hart returned to the meeting at 3:42 p.m.

MAYOR AND COUNCIL MATTERS

20. SUBJECT: CITY ADVISORY GROUP APPOINTMENTS (140.05)

RECOMMENDATION: That Council make appointments to the City Advisory Groups.

DOCUMENTS:

September 28, 2001, Acting City Administrator's report.

CREEKS RESTORATION & WATER QUALITY IMPROVEMENT PROGRAM
CITIZEN ADVISORY COMMITTEE:

MOTION:

Councilmembers Hart/Fairly to appoint Wayne R. Ferren, Jr.

VOTE:

Unanimous voice vote (Absent: Mayor Miller).

APPOINTMENT:

Wayne R. Ferren, Jr. was appointed as a representative of the Environmental/Land Use Expertise Category for a term expiring December 31, 2002.

(Cont'd)

20. (Cont'd)

FIRE AND POLICE COMMISSION:

NOMINATIONS:

Elsa Granados (by Councilmember Blum); Daniel E. Signor (by Councilmember Fairly).

VOTE:

For Granados: Councilmembers Blum, Roberts.
For Signor: Councilmembers Fairly, Garcia, Hart,
Mayor Pro Tempore Secord.

APPOINTMENT:

Daniel E. Signor was appointed for a term
expiring December 31, 2003.

FRANKLIN CENTER ADVISORY COMMITTEE:

MOTION:

Councilmembers Roberts/Blum to appoint Rosalyn Y. Collins.

VOTE:

Unanimous voice vote (Absent: Mayor Miller).

APPOINTMENT:

Rosalyn Y. Collins was appointed as a Public at
Large representative for a term expiring
December 31, 2002.

HOUSING AUTHORITY COMMISSION:

Pursuant to Health and Safety Code Section 34270, the Mayor appoints members to the Housing Authority Commission with the confirmation of the Council. Mayor Pro Tempore Secord read a statement by Mayor Miller expressing her wish to appoint Helene D. Schneider.

APPOINTMENTS:

By consensus, the Council confirmed the Mayor's appointment of Helene D. Schneider and re-appointed David Tabor, as Public at Large representatives for terms expiring July 12, 2005.

(Cont'd)

20. (Cont'd)

RENTAL HOUSING MEDIATION TASK FORCE:

NOMINATIONS:

Chris Agnoli (by Councilmember Hart); Marshall K. Sherrill (by Councilmember Roberts).

VOTE:

For Agnoli: Councilmembers Fairly, Garcia, Hart, Mayor Pro Tempore Secord.
For Sherrill: Councilmembers Blum, Roberts.

APPOINTMENT:

Chris Agnoli was appointed as a Landlord representative for a term expiring December 31, 2003.

WATER COMMISSIONERS, BOARD OF:

MOTION:

Mayor Pro Tempore Secord/Councilmember Garcia to appoint Christopher E. Colbert.

VOTE:

Unanimous voice vote (Absent: Mayor Miller).

APPOINTMENT:

Christopher E. Colbert was appointed for a term expiring December 31, 2004.

WESTSIDE CENTER ADVISORY COMMITTEE:

MOTION:

Councilmembers Roberts/Garcia to appoint Roxanne M. McGregor.

VOTE:

Unanimous voice vote (Absent: Mayor Miller).

APPOINTMENT:

Roxanne M. McGregor was appointed as a Public at Large representative for a term expiring December 31, 2001.

ORDINANCE FOR ADOPTION

21. SUBJECT: PROPOSED FIVE-YEAR LEASE RENEWAL OF CITY-OWNED APN 017-165-007 FOR MILPAS STREET POST OFFICE PARKING LOT (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute in Duplicate a Ground Lease Agreement with the U.S. Postal Service for a Five-Year Lease of City-Owned Land (APN 017-165-007) for Parking Purposes Adjacent to the Milpas Street Post Office, at an Annual Rate of \$18,500, with a Renewal Option for an Additional Term of Five Years, at an Annual Rate of \$21,000. (Introduced on September 25, 2001)

DOCUMENTS:

- Previous documents submitted September 25, 2001.
- Proposed Ordinance.

SPEAKERS:

Staff: Transportation Operations Parking Manager
George Gerth.

MOTION:

Councilmembers Garcia/Roberts to approve the recommendation; Ordinance No. 5202.

VOTE:

Unanimous roll call vote (Absent: Mayor Miller).

RECESS

3:52 p.m. - 3:55 p.m. The Council reconvened in Room 15 of City Hall.

WORK SESSION

22. SUBJECT: COUNCIL GOALS AND WORKLOAD MANAGEMENT PROJECTS
WORK SESSION (120.17)

RECOMMENDATION: That Council hold a work session to discuss Council Goals and Workload Management Program projects.

(Cont'd)

22. (Cont'd)

DOCUMENTS:

September 28, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Assistant to the City Administrator Marcelo Lopez, Acting City Administrator Peter Wilson, Special Projects Manager Don Olson, Community Development Director David Davis, City Planner Bettie Hennon, Acting Public Works Director Pat Kelly, Parks and Recreation Director Richard Johns.

DISCUSSION:

Staff provided an overview of adopted Council Goals and Workload Management Program priority projects. The Council made minor revisions to the lists of current projects, and Councilmembers commented on those issues they consider most important for these programs to address.

RECESS

4:56 p.m. - 6:00 p.m.

Mayor Pro Tempore Secord presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Mayor Pro Tempore Secord.

Councilmembers absent: Roberts, Mayor Miller.

Staff present: Acting City Administrator/Clerk Wilson, City Attorney Wallace, Deputy City Clerk Tschech.

PUBLIC COMMENT

SPEAKERS: John Thorndike.

PUBLIC HEARING

23. SUBJECT: APPEAL OF THE PLANNING COMMISSION APPROVAL OF THE APPLICATION OF ROBERT AND JENNIFER CONROW FOR A FOUR-LOT SUBDIVISION AND ASSOCIATED SITE IMPROVEMENTS AT 121 W. MOUNTAIN DRIVE, APN 021-061-019, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE. (640.07)

(Cont'd)

23. (Cont'd)

RECOMMENDATION: That Council:

- A. Hold a public hearing on the appeal of the Mountain Drive Community Association; and
- B. Deny the appeal, making the findings contained in the Council Agenda Report, and uphold the Planning Commission's approval of the Negative Declaration and the project.

Affidavit of Publication - Noticed for 6:00 p.m.
Session

DOCUMENTS:

- September 28, 2001, Acting City Administrator's report.
- Final Negative Declaration for the project (Application No. MST99-00526).
- July 23, 2001, letter of appeal.
- Petitions opposing the proposed project, received October 1, 2001, by the City Clerk's Office.
- Map of Mountain Drive neighborhood, submitted by Claire Gottsdanker.
- Document discussing appeal issues, submitted by Jana Zimmer.
- Memorandum dated June 25, 1980, from City Fire Chief R. R. Peterson, submitted by Peter Burgess.
- October 2, 2001, letter from M. Barry Semler.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

6:06 p.m.

SPEAKERS:

- Staff: Associate Planner Marisela Salinas, City Planner Bettie Hennon, Fire Marshall Janaki Wilkinson, Distribution and Collection Manager Bill Thomas, Deputy Fire Chief Mitch Vaughn, City Attorney Daniel Wallace, Assistant City Attorney Stephen Wiley, Acting City Administrator Peter Wilson.
- Planning Commission: Chair Grant House.
- Appellant: Abraham Powell, Alexandra Cole, Claire Gottsdanker, Jeff Shelton, Jana Zimmer.
- Applicant: Mark Lloyd, Robert Conrow, Jennifer Conrow.

(Cont'd)

23. (Cont'd)

RECESS

7:33 p.m. - 7:42 p.m.

SPEAKERS (Cont'd):

- Members of the Public: Rosemary Pelli, Henning Jensen, Peter Burgess, Jeffrey Johnson, Juliana Hydannis, Larry Larsson, Lynne Coit, Bill Huijer, Ardith Huijer, Henry Childs, Don Rockwell, Rick Schillinger, Adam Gottsdanker, Ross Godlis, David Moseley, Mark Westerhoff.

PUBLIC HEARING CLOSED:

8:14 p.m.

MOTION:

Councilmember Fairly/Mayor Pro Tempore Secord to approve recommendation B.

SUBSTITUTE MOTION:

Councilmembers Hart/Blum to continue the item to October 23, 2001, at 6:00 p.m. for Staff's clarification of the fire/water service issue.

VOTE ON SUBSTITUTE MOTION:

Majority voice vote (Noes: Councilmember Garcia; Absent: Councilmember Roberts, Mayor Miller).

ADJOURNMENT

Mayor Pro Tempore Secord adjourned the meeting at 8:56 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

DAN B. SECORD
MAYOR PRO TEMPORE

SUSAN TSCHECH
DEPUTY CITY CLERK