

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
May 22, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:04 p.m.
The Finance Committee met at 12:30 p.m. The Ordinance Committee
met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE:

Mayor Harriet Miller.

ROLL CALL:

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert
Garcia, Gregg A. Hart, Dan B. Secord, Mayor Miller.

Councilmembers absent: Tom Roberts.

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

CEREMONIAL ITEMS

Proclamations

1. Issuance by the Mayor of a proclamation declaring the week
of May 19 27, 2001, as Bike Week, May 19, 2001, as Bike
Expo Day, May 22, 2001, as Bike to School Day, and May 23,
2001, as Bike to Work Day. 120.04)

SPEAKERS:

Staff: Mobility Coordinator Drusilla van Hengel.

ACTION:

Proclamation presented to Dru van Hengel, Mobility
Coordinator, City of Santa Barbara.

2. Issuance by the Mayor of a proclamation declaring May 23,
2001, as Day of the Young Scholar. 120.04)

SPEAKERS:

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Scholarship Foundation of Santa Barbara: Nancyann
Failing.
Santa Barbara Foundation: David H. Anderson

ACTION:

Proclamation presented to David H. Anderson, President,
Santa Barbara Foundation, and Nancy Ann Failing,
President, Scholarship Foundation of Santa Barbara.

PUBLIC COMMENT

SPEAKERS:

Bruce Rittenhouse and Ken Loch.

CONSENT CALENDAR Item Nos. 4 17)

MOTION:

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

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve
the minutes of the regular meeting of May 8, 2001.

ACTION: Approved the recommendation.

**5. SUBJECT: RECORDS DESTRUCTION PUBLIC WORKS DEPARTMENT
160.06)**

X
530.01
Admin., Pol. & Proc.

RECOMMENDATION: That Council adopt, by reading of title
only, A Resolution of the Council of the City of Santa
Barbara Relating to the Destruction of Certain Documents

Held by the Public Works Department.

ACTION: Approved the recommendation; Resolution No. 01-044
May 18, 2001, City Administrator's report).

6. SUBJECT: AGREEMENT FOR USE OF AIRPORT PROMOTION FUNDS
560.01)

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RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement with Santa Barbara Air Fair, Inc., for use of Airport promotion funds in an amount not to exceed \$30,000.

ACTION: Approved the recommendation; Agreement No. 20,275 May 18, 2001, City Administrator's report).

7. SUBJECT: INVESTMENT ADVISORY SERVICES 260.02)

RECOMMENDATION: That Council authorize the City Administrator to negotiate and execute a one-year contract with Public Financial Management, Inc. for Investment Advisory Services for an amount not to exceed \$20,000.

ACTION: Approved the recommendation; Contract No. 20,276 May 18, 2001, City Administrator's report).

8. SUBJECT: LICENSE AGREEMENT FOR KAYAK RENTAL CONCESSIONAIRE 330.08)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a Kayak Rental License Agreement with Santa Barbara Kayaks for kayak rentals at West Beach.

ACTION: Approved the recommendation; Agreement No. 20,277 May 18, 2001, City Administrator's report).

9. SUBJECT: NOTICE OF COMPLETION BROPHY BROTHERS' TRASH ENCLOSURE, CONTRACT NO. 19,934 570.03)

RECOMMENDATION: That Council accept the work completed by Hanson and Sons, Incorporated, Contract No. 19,934, for the Brophy Brothers' Trash Enclosure Project, Bid No. 4166, located at 117 Harbor Way, in the final contract amount of \$70,478, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation May 18, 2001, City Administrator's report).

10. SUBJECT: 588 NORTH HOPE AVENUE APPROVAL OF PARCEL MAP AND EXECUTION OF AGREEMENTS 640.08)

X

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640.08
Decl. of Covenants,
Conditions & Restrictions
Imposed on Real Property
X
330.03
Easements, Water
Extract. Rights

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,629 by Investec Signature Series, LLC, a California Limited Liability Company, as to an undivided 75% interest, and James W. Turner and Deanne Turner, Husband and Wife, as to an undivided 25% interest, all as Tenants in Common, for the subdivision of a 1.32 acre lot into four lots for single family residences, located at 588 North Hope Avenue, APN 057-151-018, 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 588 North Hope Avenue, APN 057-151-018.

ACTION: Approved the recommendations; Agreement Nos. 20,278 20,280; Resolution No. 01-045 May 18, 2001, City Administrator's report).

11. SUBJECT: LEGISLATIVE ANALYSIS AND RECOMMENDATIONS 160.02)
State

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

- A. OPPOSE AB 14X Matthews) which would mandate that
utility user taxes levied by local governments be

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imposed on a per unit of usage basis, rather than the current cost-based system;

- B. OPPOSE AB 375 Campbell) which would exempt up to \$500 of tangible personal property from out-of-state and local sales and use taxes, without reimbursement to local agencies for the loss in local sales and use tax revenues;
- C. OPPOSE SB 1098 Alarcon) which would prohibit the adoption or extension of an interim ordinance denying approvals for multifamily housing projects, unless the legislative body identifies the adverse impact of continued approval of the development; and
- D. 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 May 18, 2001, City Administrator's report).

12. SUBJECT: CITY ADVISORY GROUPS SEMI-ANNUAL RECRUITMENT, INTERVIEW, AND APPOINTMENT PROCESS 140.05)

RECOMMENDATION: That Council:

- A. Set Friday, June 29, 2001, at 5:00 p.m. as the deadline for receipt of applications in the City Clerk's Office for various City Advisory Group positions, including all the unscheduled vacancies resulting from resignations accepted by Council through June 26, 2001;
- B. Set Tuesday, July 17, 2001, at 2:00 p.m. and 6:00 p.m. for interviews of applicants for various City Advisory Group positions; and
- C. Set Tuesday, July 31, 2001, for appointments to various City Advisory Group positions by Council.

ACTION: Approved the recommendations May 18, 2001, City Administrator's report).

NOTICES

13. The City Clerk has on Friday, May 18, 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.

14. Special Finance Committee meeting, May 22, 2001, at

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12:30 p.m. in Room 15 for consideration of:

- A. April 30, 2001, Investment Report and March 31, 2001, Fiscal Agent Report; and
- B. Two-Year Financial Plan for Fiscal Years 2002 and 2003; and Adjourned Special Finance Committee meeting, May 23, 2001, at 1:00 p.m. in Room 15 for consideration of:
 - C. Proposed Two-Year Financial Plan for Fiscal Years 2002 and 2003. 120.03)

15. Ordinance Committee meeting, May 22, 2001, at 1:00 p.m. in the Council Chamber for consideration of the Proposed Outdoor Vending Machine Regulations and Design Guidelines. 120.03) Ordinance Committee

16. Special Redevelopment Agency meeting, May 22, 2001, at 2:00 p.m. in the Council Chamber. 620.03) Agendas & Minutes

17. Cancellation of the regular City Council meeting of May 29, 2001, due to lack of a quorum. 120.09)

This completed the Consent Calendar.

RECESS:

2:15 p.m. 3:24 p.m., during which time the Redevelopment Agency Meeting was held.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

18. Report from the Finance Committee.

Finance Committee Member Dan Secord reported that the Committee heard from outside organizations requesting funding and presentations from staff on the Two-Year Financial Plan for Fiscal Years 2002 and 2003. They also reviewed the April 30, 2001, Investment Report and the March 31, 2001, Fiscal Agent Report and suggested that they

be presented to Council for acceptance at this time.

ADMINISTRATIVE REPORT

FINANCE DEPARTMENT

20. SUBJECT: APRIL 30, 2001, INVESTMENT REPORT AND MARCH 31,

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2001, FISCAL AGENT REPORT 260.02)

RECOMMENDATION: That Council:

- A. Accept the April 30, 2001, Investment Report; and
- B. Accept the March 31, 2001, Fiscal Agent Report.

DOCUMENTS:

May 18, 2001, City Administrator's report.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

REPORT FROM FINANCE AND ORDINANCE COMMITTEES

19. Report from the Ordinance Committee.

Ordinance Committee Chair Marty Blum reported that the Committee reviewed the draft Ordinance and draft Outdoor Vending Machine Guidelines, and sent it back to the Sign Committee with specific questions regarding the design guidelines. This will be coming back to the Ordinance Committee on June 5.

RECESS:

3:26 p.m. 3:28 p.m.

The Council reconvened in De la Guerra Plaza for the following item.

CEREMONIAL ITEMS

Presentations

3. SUBJECT: PRESENTATION OF NEW BOOKMOBILE VEHICLE FOR LIBRARY DEPARTMENT 570.04)

RECOMMENDATION: That Council have a tour of the new Bookmobile vehicle to be placed in service by the Library Department to serve neighborhoods, schools, housing complexes, and other locations, in De la Guerra Plaza at approximately 3:30 p.m.

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SPEAKERS:

Staff: Library Director Carol Keator.

DOCUMENTS:

May 18, 2001, City Administrator's report.

DISCUSSION:

The Council toured the new Bookmobile vehicle. Staff presented information regarding the various features and the scheduled stops.

RECESS:

3:36 p.m. 3:38 p.m.

The Council reconvened in Council Chambers.

ORDINANCE FOR INTRODUCTION

21. SUBJECT: PURCHASE OF RUNWAY PROTECTION ZONE EASEMENT AT THE AIRPORT 330.03)

X
560.04
X
560.09

Co. Land Use Plan

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Binding Memorandum of Understanding with Santa Barbara Holding Company, LLC, a Delaware Limited Liability Company, for the Purchase of Certain Navigation Aids and Runway Protection Zone Easements in an Amount Not to Exceed Cost of \$4,925,000;
- B. Authorize the City Administrator to execute a Memorandum of Understanding and the Easement Agreement

with Santa Barbara Holding Company, LLC, a Delaware Limited Liability Company, in a form acceptable to the City Attorney;

- C. Appropriate \$3,156,736 from Airport Improvement Program Grant AIP-3-06-0235-26 to FY 2001 Airport FAA Capital Projects Fund Budget; and
- D. Appropriate \$1,768,264 from Airport Fund Reserves in excess of policy requirements to the FY 2001 Airport

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Capital Fund Budget.

DOCUMENTS:

May 18,2001, City Administrator's report.
Proposed Ordinance.

SPEAKERS:

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

MOTION:

Councilmembers Blum/Hart to approve the
recommendations; introduced the Ordinance as Bill
No. 5212; Agreement No. 20,281.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

ORDINANCE FOR ADOPTION

22. SUBJECT: MEMORANDUM OF UNDERSTANDING WITH POLICE OFFICERS
ASSOCIATION 440.02)

RECOMMENDATION: That Council adopt, by reading of title
only, An Ordinance of the Council of the City of Santa
Barbara Amending Agreement No. 17,858 with the Board of
Administration of the Public Employees' Retirement System
(PERS) to Provide the 3% at 50 Benefit Formula for Local
Police Safety Members. Introduced on May 1, 2001, as Bill
No. 5207).

DOCUMENTS:

Previous documents submitted May 1, 2001.
Proposed Ordinance.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones.

MOTION:

Councilmembers Secord/Blum to approve the recommendation; Ordinance No. 5191.

VOTE:

Unanimous roll call vote Absent: Councilmember Roberts).

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3:42 p.m. 3:45 p.m.

CLOSED SESSION

23. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR 440.05)

RECOMMENDATION FROM THE CITY ADMINISTRATOR: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Joan Kent regarding negotiations with the Firefighters Association.
Scheduling: Duration, 30 minutes; anytime.

DOCUMENTS:

May 18, 2001, City Administrator's report.

TIME:

3:45 p.m. 4:00 p.m. Councilmember Roberts was absent.

RECESS:

4:00 p.m. 6:02 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Secord, Mayor Miller.

Councilmembers absent: Roberts.

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

ANNOUNCEMENT:

The City Council reconvened in the Council Chamber. City Attorney Daniel Wallace announced that the Council met in closed session, Item No. 23, and there was nothing to report at this time.

PUBLIC COMMENT

No one wished to speak.

PUBLIC HEARING

24. SUBJECT: PROPOSED FISCAL YEAR 2002 AND 2003 FINANCIAL PLAN
230.05)

RECOMMENDATION: That Council:

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- A. Continue the public hearing on the Fiscal Year 2002 Recommended Budget from Tuesday, May 15, 2001;
- B. Hear a presentation from staff on the proposed streets capital and alternative transportation programs and projects;
- C. Hear a presentation from staff on proposed changes to Waterfront Department fees and charges; and
- D. Continue the public hearing to Tuesday, June 5, at 2:00 p.m.

DOCUMENTS:

- May 18, 2001, City Administrator's report.
- May 22, 2001, photocopy of the Streets/Transportation Power point slide presentation.
- May 22, 2001, copy of the Waterfront Power point presentation.
- May 15, 2001, e-mail communications from Dr. David Wayne Smith and Kevin Cook.
- May 18, 2001, letter from Alita Rhodes.
- May 20, 2001, letters from B. J. Kramer, Gail and Ed Kramer, and Joy McDares.
- May 21, 2001, e-mail communication from Debbi Stevens.
- May 21, 2001, letter from Mark Bennett.
- Undated letter from Friends of Los Banos del Mar Pool.

PUBLIC HEARING OPENED:

6:03 p.m.

SPEAKERS:

- Staff: City Administrator Sandra Tripp-Jones; Acting Transportation Planning Manager Pat Kelly; Waterfront Director John Bridley.
- Members of the Public: Friends of Los Banos del Mar Pool: Cheri Savage, Cathey Wilkins; David Ryal, Santa Barbara City College, Small Business Development Center; Homer Smith; Sylvan Malis; Santa Barbara Slip Holders Association: Jon Payne, Dan Bellerue, and Brent Baldwin; David Turpin; Captain Laura Tritch; Gary

Longaberger; Howard Baker; Irvin Stout; Craig Cody;
Sally Hopkins; Tom Hines.

ACTION:

By consensus, the Council approved the recommendations
and continued the public hearing to Tuesday, June 5,
2001, at 2:00 p.m.

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ADJOURNMENT

Mayor Miller adjourned the meeting at 8:32 p.m.

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

ATTEST:

HARRIET MILLER
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK