



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 1, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Pro Tempore H. P. Fairly called the meeting to order at 2:03 p.m. (The Ordinance Committee met at 12:30 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 Fairly.

ROLL CALL

Councilmembers present: Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Pro Tempore Fairly.

Councilmembers absent: Mayor Marty Blum.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

Proclamations

1. SUBJECT: PROCLAMATION DECLARING THE MONTH OF OCTOBER 2002 AS BEYOND TOLERANCE MONTH (120.04)

ACTION: Proclamation presented to Linda Phillips, Chair, and Roger Horton, Board Member, Building Bridges Committee.

2. SUBJECT: PROCLAMATION DECLARING THE MONTH OF OCTOBER 2002 AS END DOMESTIC VIOLENCE MONTH (120.04)

ACTION: Proclamation was read.

Presentation

3. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARD PINS (410.01)

RECOMMENDATION: That Council authorize James L. Armstrong, 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, 2002.

DOCUMENTS:

October 1, 2002, Assistant City Administrator's report.

SPEAKERS:

Staff: Fire Captain Stanley Thompson, Firefighter Charles Simon, City Administrator James L. Armstrong.

ACTION:

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

25-Year Pin

Allan Cloud, Fire Engineer, Fire
Charles Simon, Firefighter, Fire
Stanley Thompson, Fire Captain, Fire
Kathryn Denlinger, Parking Enforcement Officer, Police

20-Year Pin

Domingo Quinonez, Water Distribution Lead Operator, Public Works

15-Year Pin

Tammy Nelson, Computer Specialist II, Administrative Services
Jarrett Garcia, Airport Patrol Officer, Airport
Steven Robles, Police Officer, Police
Juanita Smith, Police Sergeant, Police
Robert Tait, Parking Supervisor, Public Works
John Cornejo, Waterfront Maintenance Worker I, Waterfront
Gregory Lowe, Waterfront Vessel Technician, Waterfront

10-Year Pin

Monica Broumand, Harbor Patrol Officer, Waterfront

5-Year Pin

Paul Casey, Acting Community Development Director, Community Development
Linda Dunn, Senior Office Specialist, Community Development
Ann Marx, Fire Inspector II, Fire
Janet Dewey, Accountant I, Finance
Peter Lessels, Senior Grounds Maintenance Worker, Parks and Recreation
Ricardo Venegas, Assistant Community Services Supervisor, Parks and Recreation
Winther Martinez, Maintenance Worker II, Public Works

CHANGES TO THE AGENDA

At the request of City Administrator James L. Armstrong the following item was removed from the agenda due to receipt of a bid protest:

25. SUBJECT: AWARD AND EXECUTION OF CONTRACT FOR ANNEX YARD AT YANONALI STREET – POLLUTION PREVENTION IMPROVEMENTS, BID NO. 3348 (540.14)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Elevation General Engineering, Incorporated, in their low bid amount of \$120,000, for construction of the Annex Yard at Yanonali Street – Pollution Prevention Improvements, Bid No. 3348, and authorize the Public Works Director to approve expenditures up to \$14,400 to cover any cost increases that may result from contract change orders for extra work, and differences between estimated bid quantities and actual quantities measured for payment;
- B. Authorize the General Services Manager to issue a Purchase Order to MNS Engineers, Incorporated (MNS Engineers), in the amount of \$9,800 for construction support services, and authorize the General Services Manager to approve expenditures of up to \$980 for extra services of MNS Engineers that may result from necessary changes in the scope of work; and
- C. Authorize the General Services Manager to issue a Purchase Order to Fugro West, Incorporated (Fugro), in the amount of \$1,920 for material testing services, and authorize the General Services Manager to approve expenditures of up to \$192 for extra services of Fugro that may result from necessary changes in the scope of work.

PUBLIC COMMENT

SPEAKERS: Mr. Laramie and Janet Stanley.

CONSENT CALENDAR (Item Nos. 4 – 17)

The titles of all ordinances related to the Consent Calendar were read.

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of September 17, 2002.

ACTION: Approved the recommendation

5. SUBJECT: CITY ADVISORY GROUP RESIGNATION (670.03)

RECOMMENDATION: That Council accept the resignation of Jonathan Maguire from the Transportation and Circulation Committee.

ACTION: Approved the recommendation (September 22, 2002, letter of resignation).

6. SUBJECT: MONTECITO HALL FIRST AMENDMENT TO LEASE AGREEMENT (570.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a First Amendment to Lease Agreement Between the City of Santa Barbara, the County of Santa Barbara, and the Montecito Association for Lease by the County of Property at 1469 East Valley Road, Montecito, as Space for Community Library, Office Space and Public Meeting Hall. (Introduced on September 24, 2002)

ACTION: Approved the recommendation; Ordinance No. 5252; Agreement No. 19,500.1.

7. SUBJECT: ADDITION AND AMENDMENTS TO THE MUNICIPAL CODE REGARDING PEDICABS (520.04)

RECOMMENDATION: That the City Council adopt, by reading of title only:

- A. An Ordinance of the Council of the City of Santa Barbara Adding Chapter 5.28 to the Santa Barbara Municipal Code Pertaining to Pedicabs (introduced on September 24, 2002);
- B. An Ordinance of the Council of the City of Santa Barbara Amending Section 5.29.010 of the Santa Barbara Municipal Code Deleting References to Pedicabs (introduced on September 24, 2002); and
- C. An Ordinance of the Council of the City of Santa Barbara Amending Section 10.48.100 of the Santa Barbara Municipal Code Pertaining to Taxicab Stands (introduced on September 24, 2002).

SPEAKERS:

- Staff: City Attorney Dan Wallace.
- Members of the Public: Chris Asher.

ACTION: Approved the recommendations; Ordinance Nos. 5253 - 5255.

8. SUBJECT: 2001 CALIFORNIA CODE OF REGULATIONS AND 1997 UNIFORM BUILDING CODES (640.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the Uniform Administrative Code (1997 Edition); the California Building Code (2001 Edition); the Uniform Housing Code (1997 Edition); the Uniform Code for the Abatement of Dangerous Buildings (1997 Edition); the California Plumbing Code (2001 Edition); the California Mechanical Code (2001 Edition); the California Electrical Code (2001 Edition); Appendix Chapter 1 of the Uniform Code for Building Conservation (1997 Edition); Adopting Revisions to Said Codes; Adopting and Deleting Certain Appendix Chapters of Said Codes. (Introduced on September 24, 2002)

ACTION: Approved the recommendation; Ordinance No. 5256.

9. SUBJECT: 2000 UNIFORM FIRE CODE WITH LOCAL AMENDMENTS (520.03)

RECOMMENDATION: That the Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04, Adopting by Reference the 2000 Edition of the Uniform Fire Code, Volume 1, the 2001 California Fire Code, and Certain Appendices of Said Codes; Adopting Local Amendments to Said Codes; and Repealing Ordinance No. 5100 (Adoption of Previous Uniform Fire Code). (Introduced on September 24, 2002)

ACTION: Approved the recommendation; Ordinance No. 5257.

10. SUBJECT: VESSELS MOORED OR ANCHORED EAST OF STEARNS WHARF (570.03)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 17.13.020 of the Santa Barbara Municipal Code, Changing the Date that Vessels May Moor or Anchor East of Stearns Wharf. (Introduced on September 24, 2002)

ACTION: Approved the recommendation; Ordinance No. 5258.

11. SUBJECT: INCREASE PURCHASE ORDERS FOR CONTRACT BUILDING PLAN CHECK (640.04)

RECOMMENDATION: That Council authorize the General Services Manager to increase Blanket Purchase Orders #365004 and #365005 to D & J Engineering and EsGil Corporation respectively, by \$25,000 each, for continued plan check services.

ACTION: Approved the recommendation (October 1, 2002, Acting Community Development Director's report)

12. SUBJECT: AWARD AND EXECUTION OF CONTRACT FOR SIDEWALK REPAIR AND ACCESS RAMPS FY 2000-01 and FY 2001-02, BID NO. 3332 (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction, Incorporated, in their low bid amount of \$238,340, for construction of the Sidewalk Repair and Access Ramps FY 2000-01 and 2001-02, Bid No. 3332; and
- B. Authorize the Public Works Director to approve expenditures up to \$28,600 to cover any cost increases that may result from contract change orders for extra work, and differences between estimated bid quantities and actual quantities measured for payment.

ACTION: Approved the recommendations; Contract No. 20,793 (October 1, 2002, Public Works Director's report).

13. SUBJECT: NOTICE OF COMPLETION – EL ESTERO DRAIN WETLAND RESTORATION PROJECT, CONTRACT NO. 20,599 (540.13)

RECOMMENDATION: That Council accept the work completed by AIS Construction Company, Contract No. 20,599, for the El Estero Drain Wetland Restoration Project, Bid No. 3334, located at 520 East Yanonali Street, in the final contract amount of \$216,098, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (October 1, 2002, Public Works Director's report).

14. SUBJECT: SETTLEMENT OF MERCURY INSURANCE CLAIM AND SETTLEMENT OF JOHN BECKER CLAIM (350.05)

RECOMMENDATION: That City Council approves payment to settle vehicle damage claims in the total amount of \$27,572.62.

ACTION: Approved the recommendation (October 1, 2002, Finance Director's report).

NOTICES

- 15. The City Clerk has on Thursday, September 26, 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.
- 16. The City Council will conduct a site visit on Monday, October 7, 2002, at 1:30 p.m. to the property located at 398 West Mountain Drive, which is the subject of an appeal hearing set for October 8, 2002, at 2:00 p.m.

17. Receipt of Notice from the Housing Authority of the City of Santa Barbara that it will be updating its Conflict of Interest Code pursuant to Government Code Section 87306.

This concluded the Consent Calendar.

ORDINANCE COMMITTEE AND FINANCE COMMITTEE REPORTS

ORDINANCE COMMITTEE

18. SUBJECT: SPECIAL ORDINANCE COMMITTEE AGENDA, OCTOBER 1, 2002, 12:30 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF RECREATIONAL VEHICLE OVERNIGHT PARKING ON SPECIFIED CITY PROPERTIES AND IN CERTAIN COMMERCIAL ZONES (120.03)
(Continued from September 24, 2002)

19. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair, Greg Hart, reported that the Committee met to discuss the zoning ordinances related to recreational vehicle overnight parking and voted 2-1 with positive recommendation to forward to the Council in 2-3 weeks.

FINANCE COMMITTEE

20. SUBJECT: SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2003 (230.05)

RECOMMENDATION: That Council approve the General Fund supplemental appropriations totaling \$260,000 related to the City Hall basement remodeling project (\$175,000) and consulting services for the Neighborhood Preservation Ordinance (\$85,000) using General Fund unappropriated reserves.

(Continued from September 24, 2002)

DOCUMENTS:

September 24, 2002, Assistant Finance Director's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario, Acting Community Development Director Paul Casey, City Administrator James L. Armstrong, Information Systems Manager Terry Moore.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

21. SUBJECT: REQUESTS FROM OUTSIDE ORGANIZATIONS (230.05)

RECOMMENDATION: That Council deny the funding requests from outside organizations in light of current financial and economic conditions and the potential for additional impacts on local government caused by future State actions, rising costs and continued economic uncertainties.

DOCUMENTS:

October 1, 2002, Finance Director's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Hart/Folayemi to approve the funding requests for the Performing Arts Center, the Aquatic Facility, and the Human Services Funds.

VOTE:

Failed to carry by voice vote (Ayes: Councilmembers Folayemi, Hart; Noes: Councilmembers Falcone, Horton, Secord, Mayor Pro Tempore Fairly; Absent: Mayor Blum).

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION: Councilmember Horton reported that he attended meetings of the Historic Landmarks Commission and thanked the Commission for its hard work and efforts.

RECESS

3:10 p.m. – 3:24 p.m., during which time the first portion of the Redevelopment Agency meeting, Item Nos. 22 and 23, were completed.

JOINT REDEVELOPMENT AGENCY/CITY COUNCIL SESSION

The City Council and Redevelopment Agency convened in joint session at 3:24 p.m.

24. SUBJECT: CONSULTANT CONTRACTS FOR THE 2003 HOUSING ELEMENT UPDATE AND INCLUSIONARY HOUSING AND JOBS/HOUSING LINKAGE FEES STUDIES (650.06)

RECOMMENDATION:

- A. That Council authorize the Community Development Director to negotiate and execute contracts with:
1. Economic & Planning Systems (EPS) in an amount not to exceed \$128,403.00 to prepare technical studies in support of the 2003 Housing Element Update, and the Inclusionary Housing and Jobs/Housing Linkage Fee Studies; and
 2. Moore Iacofano Goltsman (MIG) in an amount not to exceed \$15,263.00 to facilitate the initial public outreach and involvement for the Housing Element Update;
- B. That Council appropriate \$52,668.00 from the General Fund Unappropriated Reserves to the Fiscal Year 2003 Community Development Department budget to cover the costs associated with these contracts;
- C. That the Agency Board authorize the appropriation of \$90,998.00 from the Redevelopment Agency's Housing Programs Fund Unappropriated Reserves to the Fiscal Year 2003 Redevelopment Agency budget; and
- D. That the Agency Board authorize the expenditure of \$90,998.00 for contracts with EPS and MIG.

DOCUMENTS:

October 1, 2002, Acting Community Development Director's report.

SPEAKERS:

Staff: Project Planner Elizabeth Limón.

MOTION:

Council/Agency members Falcone/Horton to approve the recommendations; City Council Contract Nos. 20,794 and 20,795.

VOTE:

Unanimous voice vote (Absent: Mayor/Chairperson Blum).

The City Council and Redevelopment Agency joint session concluded at 3:32 p.m.

RECESS

3:32 p.m. – 3:43 p.m. Councilmember Fodayemi was absent when the Council reconvened.

ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

26. SUBJECT: ACCEPTANCE OF A DONATION OF THREE ELECTRIC FORD THINK VEHICLES FROM THE NATIONAL PARK FOUNDATION (570.05)

RECOMMENDATION: That Council authorize the Parks and Recreation Director to accept the donation of three electric Ford THINK vehicles from the National Park Foundation and sign the grant agreement.

DOCUMENTS:

- October 1, 2002, Parks and Recreation Director's report.
- October 1, 2002, photocopy of donation from Mel Clayton Ford.

Councilmember Fodayemi entered the meeting at 3:49 p.m.

SPEAKERS:

Staff: Parks and Recreation Business Manager Nancy Woods.

DISCUSSION:

Mayor Pro Tempore Fairly acknowledged and thanked Mel Clayton Ford for a donation of \$500 to the PARC Foundation Youth Program.

MOTION:

Councilmembers Falcone/Secord to approve the recommendation; Agreement No. 20,796.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

PUBLIC HEARING

27. SUBJECT: PROPOSED DESIGNATION OF THREE LANDMARKS: 11-15 WEST GUTIERREZ STREET, 333 JUNIPERO PLAZA, 316 EAST LOS OLIVOS STREET (640.06)

RECOMMENDATION FROM THE HISTORIC LANDMARKS COMMISSION:
That Council:

- A. Hold a public hearing;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Franceschi Flame Tree (*Brachychiton Acerifolium X Populneum*) Standing in City Parking Lot 12 at 11-15 W. Gutierrez Street (APN 037-250-011), as a City Landmark Called the Franceschi Flame Tree;

(Cont'd)

27. (Cont'd)

- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Francisca de la Guerra Dibblee Residence, 333 Junipero Plaza (APN 025-261-003), as a City Landmark Called the Francisca de la Guerra Dibblee Residence; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Vaughan Residence, 316 E. Los Olivos Street (APN 025-261-002), as a City Landmark Called the Vaughan Residence.

DOCUMENTS:

- October 1, 2002, Acting Community Development Director's report.
- Proposed Resolutions.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

3:47 p.m.

SPEAKERS:

- Staff: Acting Community Development Director Paul Casey, Senior Planner I Jaime Limón, Planning Technician I John Hedstrom.
- Historic Landmarks Commission: Commissioner Louise Boucher.

PUBLIC HEARING CLOSED:

3:59 p.m.

MOTION:

Councilmembers Secord/Horton to approve the recommendations; Resolution Nos. 02-115 – 02-117.

VOTE:

Unanimous roll call vote (Absent: Mayor Blum).

ADJOURNMENT

Mayor Pro Tempore Fairly adjourned the meeting at 4:01 p.m., to Monday, October 7, 2002, at 1:30 p.m. for a site visit to 398 West Mountain Drive.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK