



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 12, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance Committee met at 1:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING APRIL 2005 AS MONTH OF THE YOUNG CHILD (120.04)

ACTION: Proclamation presented to Yolanda Medina Garcia, President of the Santa Barbara Association for the Education of Young Children.

PUBLIC COMMENT

SPEAKERS: Chip Wulbrant.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Schneider reported on her attendance at a meeting of the League of California Cities Environmental Quality Policy Committee regarding solid waste issues; she also publicized the forums on homelessness being sponsored by Santa Barbara City College.
- Councilmember Williams commented upon current activities of the Youth Council.
- Councilmember Horton mentioned the upcoming Preschool for All forum; Eileen Monahan contributed additional information about this event.
- Councilmember Barnwell remarked upon the recent agreement by the Circle K business, located near the Casa Esperanza Homeless Shelter, to cease the sale of large containers of beer.

CONSENT CALENDAR (Item Nos. 2 – 12)

The titles of the resolutions related to Item Nos. 3 and 5 were read.

MOTION:

Councilmembers Barnwell/Horton to approve the Consent Calendar as recommended.

VOTE:

Unanimous roll call vote (Absent: Councilmember Falcone).

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the special and regular meetings of March 29, 2005.

ACTION: Approved the recommendation.

3. SUBJECT: HOUSING AUTHORITY TENANT REPRESENTATIVE CATEGORY CHANGE FOR COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE (610.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Affirming Establishment of the Community Development and Human Services Committee (CDHSC), Changing the Membership Requirements for the Category of the Tenant Representative Board Member of the Housing Authority of the City of Santa Barbara, and Rescinding Resolution Numbers 02-126 and 96-026.

(Cont'd)

3. (Cont'd)

SPEAKERS:

- Member of the Public: Harley Augustino.
- Staff: Community Development Programs Supervisor Mark Taylor.

ACTION: Approved the recommendation; Resolution No. 05-031 (April 12, 2005, Community Development Director's report; proposed resolution).

4. **SUBJECT: LEASE AGREEMENT WITH SANTA BARBARA CHAMBER OF COMMERCE (330.04)**

RECOMMENDATION: That Council approve and authorize the Waterfront Director to execute a five-year lease agreement with the Santa Barbara Chamber of Commerce for the 400 square-foot Visitor Center site at One Garden Street.

ACTION: Approved the recommendation; Agreement No. 21,694 (April 12, 2005, Waterfront Director's report).

5. **SUBJECT: RECORDS DESTRUCTION FOR WATERFRONT DEPARTMENT (160.06)**

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 Records Held by the Waterfront Department in the Administration Division.

ACTION: Approved the recommendation; Resolution No. 05-032 (April 12, 2005, Waterfront Director's report; proposed resolution).

6. **SUBJECT: INCREASED APPROPRIATIONS AND ESTIMATED REVENUES FOR MISCELLANEOUS GRANT FUND (580.03)**

RECOMMENDATION: That Council increase the appropriations and estimated revenues for the Miscellaneous Grant Fund in the amount of \$17,000 from the City of Goleta for the Rental Housing Mediation Task Force, for services provided to residents in the City of Goleta for the period of July 1, 2004, through June 30, 2005.

ACTION: Approved the recommendation (April 12, 2005, Community Development Director's report).

7. SUBJECT: CONTRACT FOR ESTUARY MONITORING (540.14)

RECOMMENDATION: That Council approve and authorize the Acting Parks and Recreation Director to execute a professional services contract with ECORP Consulting Inc. in the amount of \$85,235, to conduct focused tidewater goby and Benthic Macroinvertebrate (BMI) surveys in the Arroyo Burro Estuary and Mission Creek Estuary.

ACTION: Approved the recommendation; Contract No. 21,695 (April 12, 2005, report from the Acting Parks and Recreation Director).

8. SUBJECT: CONTRACT FOR RENTAL CAR FACILITY PLANNING AND FINANCIAL SERVICES (560.01)

RECOMMENDATION: That Council authorize the Airport Director to execute a contract with Jacobs Consultancy Inc., dba Leigh Fisher Associates, for planning and financial services pertaining to development of a joint use consolidated rental car facility at the Airport, in an amount not to exceed \$74,640.

SPEAKERS:

Staff: Assistant Airport Director Hazel Johns, City Administrator James Armstrong.

ACTION: Approved the recommendation; Contract No. 21,696 (April 12, 2005, Airport Director's report).

9. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF PARK COMMISSION DENIAL FOR 202 SANTA CATALINA AVENUE

RECOMMENDATION: That Council:

- A. Set the date of May 17, 2005, at 2:00 p.m. for hearing the appeal filed by Michael Russell of the Park Commission denial of a request to remove a tree located in the parkway at 202 Santa Catalina Avenue; and
- B. Set the date of May 16, 2005, at 1:30 p.m. for a site visit to 202 Santa Catalina Avenue.

ACTION: Approved the recommendations (March 29, 2005, letter of appeal).

NOTICES

10. The City Clerk has on Thursday, April 7, 2005, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

11. Cancellation of the regular Redevelopment Agency meeting of April 12, 2005, due to lack of business.

12. The public hearing scheduled for April 12, 2005, at 2:00 p.m. to hear an appeal of the Historic Landmarks Commission's denial for signs at 820 State Street (24 Hour Fitness Club) has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

13. SUBJECT: FINANCE COMMITTEE AGENDA, APRIL 12, 2005, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE BUDGET REVIEW PROCESS AND SCHEDULE (120.03)
14. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee considered the recommended process and schedule for review of the Two-Year Financial Plan for Fiscal Years 2006 and 2007. A finalized process will be submitted to Council next week for its approval.

Councilmembers Schneider and Williams left the meeting at 2:33 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

15. SUBJECT: INTRODUCTION OF ORDINANCE AMENDMENT PERTAINING TO YELLOW ZONE RESTRICTIONS (550.01)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.48.040 and Section 10.48.050 of the Santa Barbara Municipal Code Pertaining to Yellow Zone Restrictions.

DOCUMENTS:

- April 12, 2005, Public Works Director's report.
- Proposed Ordinance.
- April 11, 2005, Staff memorandum detailing corrections to be made to the text of the proposed ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: City Administrator James Armstrong, Transportation Manager Browning Allen, Supervising Transportation Engineer Tully Clifford.

(Cont'd)

15. (Cont'd)

MOTION:

Councilmembers Horton/Secord to introduce the ordinance as revised.

VOTE:

Unanimous voice vote (Absent: Councilmembers Falcone, Schneider, Williams).

Councilmembers Schneider and Williams returned to the meeting at 2:35 p.m.

PUBLIC HEARINGS

16. SUBJECT: MEASURE D FIVE-YEAR LOCAL PROGRAM OF PROJECTS FOR FISCAL YEARS 2006 THROUGH 2010 (150.04)

RECOMMENDATION: That Council:

- A. Hold a Public Hearing regarding the Measure D Five-Year Local Program of Projects; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure D Five-Year Local Program of Projects for Fiscal Years 2006 through 2010.

DOCUMENTS:

- April 12, 2005, Public Works Director's report.
- Proposed Resolution.
- PowerPoint presentation made by Staff.
- Draft "Santa Barbara Metropolitan Transit District Potential Service Enhancements with New Unrestricted Revenue."
- Documents regarding flexible transit systems, submitted by Dan Milstein.

The title of the resolution was read.

SPEAKERS:

- Staff: Principal Engineer John Ewasiuk, Assistant Public Works Director/City Engineer Pat Kelly, Transportation Manager Browning Allen, City Administrator James Armstrong.
- Santa Barbara County Association of Governments: Gregg Hart.
- Members of the Public: Harley Augustino, PUEBLO; Eric Cardenas; Ariana Katovich, Sierra Club; George Solinas, PUEBLO; Dan Milstein, Santa Barbara County Action Network.

MOTION:

Councilmembers Secord/Horton to approve the recommendations; Resolution No. 05-033.

VOTE:

Unanimous roll call vote (Absent: Councilmember Falcone).

RECESS

3:47 p.m. – 4:02 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

AIRPORT DEPARTMENT

17. SUBJECT: AIRPORT NOISE COMPATIBILITY PROGRAM (560.14)

RECOMMENDATION: That Council:

- A. Approve the Airport Noise Compatibility Program as the City's voluntary program to be implemented upon approval of the Federal Aviation Administration;
- B. Authorize the Airport Director to certify that the Airport Noise Compatibility Program (NCP) document was prepared in accordance with the requirements of Title 14, Part 150, of the Code of Federal Regulations; and
- C. Authorize the Airport Director to submit the completed NCP to the Federal Aviation Administration (FAA), for review and approval.

DOCUMENTS:

- April 12, 2005, Airport Director's report.
- April 11, 2005, e-mail communications from Janet Kayfetz; Peter Gaum; Mike Scott; Kelly Hildner.

SPEAKERS:

- Staff: Airport Operations Manager Tracy Lincoln, Airport Director Karen Ramsdell.
- Member of the Public: Utpal Thakrar.

MOTION:

Councilmembers Schneider/Horton to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Falcone).

Councilmember Secord left the meeting at 4:18 p.m.

PARKS AND RECREATION DEPARTMENT

18. SUBJECT: INTEGRATED PEST MANAGEMENT STRATEGY 2004 ANNUAL REPORT (330.01)

RECOMMENDATION: That Council:

- A. Accept the Integrated Pest Management (IPM) Strategy 2004 Annual Report;

(Cont'd)

18. (Cont'd)

- B. Hear a presentation from IPM Consultant Phil Boise on the Pesticide Hazard and Exposure Reduction (PHAER) Zone Model for reducing pesticide use; and
- C. Approve the 2005 IPM Implementation Plan as proposed by staff in this report.

DOCUMENTS:

- April 12, 2005, report from the Acting Parks and Recreation Director.
- City of Santa Barbara IPM Strategy, adopted January 26, 2004.
- IPM Strategy 2004 Annual Report, dated February 2005.
- Guidebook entitled "Pesticide Hazard And Exposure Reduction (PHAER) Zones in the Landscape."
- PowerPoint presentations regarding the IPM Strategy 2004 Annual Report (by Staff) and the PHAER Zone Model (by Consultant Phil Boise).
- April 11, 2005, letter from Jim Smallwood, Pesticide Awareness and Alternative Coalition.
- Comments made by telephone to the Mayor and Council Office regarding this issue.

SPEAKERS:

- Staff: Acting Parks and Recreation Director Nancy Rapp, Parks Superintendent Santos Escobar.

Councilmember Secord returned to the meeting at 4:43 p.m.

SPEAKERS (Cont'd):

- Consultant to the City: Phil Boise.
- IPM Advisory Committee: Chair Eric Cardenas.
- Members of the Public: Oscar Carmona; Greg Chittick; Brenton Kelly; Harley Augustino; Ariana Katovich, Sierra Club; Estelle Foster.

MOTION:

Councilmembers Williams/Horton to approve the recommendations and direct Staff to: 1) designate Bohnett, Honda Valley, Parma and Skofield Parks as pesticide-free ("green") as of April 1, 2005; 2) concurrently expand "green" management to all City parkland while developing a PHAER Zone Model for the City; 3) investigate the possible addition of one or two groundskeeper positions; and 4) communicate with other public and private entities to encourage similar pest management practices.

VOTE:

Unanimous voice vote (Absent: Councilmember Falcone.)

RECESS

The Mayor recessed the meeting at 5:51 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 19 and 20. She stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

19. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (160.03)

RECOMMENDATION: That Council hold a Closed Session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is: 1) Kim How-Gerth v. City of Santa Barbara, WCAB, Case No. GOL 0095600; and 2) Liza Carter v. City of Santa Barbara, WCAB, Case No. GOL 96279.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

DOCUMENTS:

April 12, 2005, Finance Director's report.

TIME:

5:55 p.m. – 6:05 p.m.; Councilmember Falcone was absent.

No report made.

20. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (160.03)

RECOMMENDATION That Council hold a closed session to consider anticipated litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed. Initiation of litigation: one potential case.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

DOCUMENTS:

April 12, 2005, City Attorney's report.

TIME:

6:05 p.m. – 6:15 p.m.; Councilmembers Falcone and Horton were absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:15 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK