



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
January 25, 2011
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Finance and Ordinance Committees met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

PUBLIC COMMENT

Speakers: Alan Bleecker, Milpas Community Association; Robert Burke; Andrea Roselinsky.

ITEM REMOVED FROM CONSENT CALENDAR

8. Subject: Set A Date For Public Hearing Regarding Appeal Of Parks And Recreation Commission Denial For 1704 Mission Ridge Road (570.08)

Recommendation: That Council:

- A. Set the date of February 8, 2011, at 2:00 p.m. for hearing the appeal filed by Michael Cooper of the Parks and Recreation Commission's denial of a request to remove a setback tree on the property located at 1704 Mission Ridge Road; and

(Cont'd)

8. (Cont'd)

- B. Set the date of February 7, 2011, at 1:30 p.m. for a site visit to the property located at 1704 Mission Ridge Road.

Documents:

January 10, 2011, letter of appeal.

Motion:

Councilmembers White/Francisco to approve the recommendations.

Vote:

Unanimous voice vote (Abstention: Councilmember Hotchkiss).

CONSENT CALENDAR (Item Nos. 1 – 7, 9 and 11)

The title of the ordinance related to the Consent Calendar was read.

Motion:

Councilmembers Francisco/House to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of October 12, 2010, the adjourned regular meeting of October 18, 2010, the regular meetings of October 19, 2010, and October 26, 2010, and the adjourned regular meeting of October 27, 2010.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Agreements For Joint Uses And Encroachments At The Carrillo Recreation Center And The Lobero Building (330.03)

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 Certain Agreements Acknowledging Ongoing Uses Between the Property Known as the Lobero Building at 924 Anacapa Street, Owned by The 924 Group, LLC, and the Property Known as the Carrillo Recreation Center at 100 East Carrillo Street, Owned by the City of Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5542.

3. Subject: Airport Public Art Program (610.04)

Recommendation: That Council:

- A. Authorize the Airport Director to execute a Loan of Asset Agreement, subject to approval by the City Attorney, between the City and the County of Santa Barbara for the long-term loan of a Santa Barbara County Courthouse Lantern; and
- B. Authorize the Airport Director to execute a Loan of Asset Agreement between the City and the David Bermant Foundation for the long-term loan of a kinetic sculpture, "Good Time Clock IV," by artist George Rhoads.

Action: Approved the recommendations; Agreement Nos. 23,618 and 23,619 (January 25, 2011, report from the Airport Director).

4. Subject: December 31, 2010, Investment Report And December 31, 2010, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2010, Investment Report; and
- B. Accept the December 31, 2010, Fiscal Agent Report.

Action: Approved the recommendations (January 25, 2011, report from the Finance Director).

5. Subject: Proposition 40 Grant For The Renovation Of The Oak Park Main Restroom (570.05)

Recommendation: That Council increase revenues and appropriations in the Parks and Recreation Department Fiscal Year 2011 Capital Fund in the amount of \$100,325 for a California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) Per Capita grant for the renovation of the Oak Park Main Restroom.

Action: Approved the recommendation (January 25, 2011, report from the Parks and Recreation Director).

6. Subject: Safety On Highway 154 (150.03)

Recommendation: That Council authorize the Mayor to send a letter of support for the recent action taken by the Santa Barbara County Association of Governments (SBCAG), requesting that the California Highway Patrol (CHP) take administrative action to restrict the transportation of hazardous materials along portions of Highway 154 (SR-154) in Santa Barbara County that are located within the watershed of Lake Cachuma.

(Cont'd)

6. (Cont'd)

Action: Approved the recommendation (January 25, 2011, report from the Public Works Director).

7. Subject: Parma Park Trust Funds For The Maintenance Of Parma Park (570.05)

Recommendation: That Council increase appropriations and revenues by \$61,589 in the Parks and Recreation Department Miscellaneous Grants Fund for implementation of the Fiscal Year 2011 Parma Park Maintenance Plan.

Action: Approved the recommendation (January 25, 2011, report from the Parks and Recreation Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Preliminary Approval For 401 1/2 Old Coast Highway (640.07)

Recommendation: That Council set the date of February 15, 2011, at 2:00 p.m. for hearing the appeal filed by William Rogers, Attorney representing David and Angie Munoz, of the Architectural Board of Review Preliminary Approval of an application for property owned by William Pritchett and located at 401 1/2 Old Coast Highway, Assessor's Parcel No. 015-291-010, C-P Restricted Commercial/R-2 Two Family Residence Zones, General Plan Designation: 12 Units per Acre. The project is a revised proposal to address violations and permit an "as-built" conversion of an existing commercial unit into a new residential unit. The appeal relates to access easements over the subject property granted to the owners of the adjacent property at 401 Old Coast Highway.

Action: Approved the recommendation (November 8, 2010, letter of appeal).

Agenda Item No. 10 appears in the Redevelopment Agency minutes.

NOTICES

11. The City Clerk has on Thursday, January 20, 2011, 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.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the Investment Report and Fiscal Agent Report for the quarter ending December 31, 2010, which were approved by the Council as part of this agenda's Consent Calendar (Item No. 4).

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to discuss hedge regulations and moved to bring forward to the Council a suspension of enforcement of the hedge ordinance, with exceptions for most new development for a period of three years and bamboo hedges.

REDEVELOPMENT AGENCY REPORTS

12. Subject: Grant To Housing Authority For Acquisition Of 2904 State Street (660.04)

Recommendation: That Council and the Redevelopment Agency Board take the following actions:

- A. That the Agency Board approve a grant of \$1,150,000 in Redevelopment Agency Housing Setaside Funds to the Housing Authority of the City of Santa Barbara for the acquisition of 2904 State Street, and authorize the Agency's Deputy Director to execute a grant agreement and related documents in a form approved by Agency Counsel, and to make non-substantive changes;
- B. That the Agency Board appropriate \$1,150,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the grant; and
- C. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Grant to the Housing Authority of the City of Santa Barbara for Acquiring an Affordable Housing Site Located Outside the Central City Redevelopment Project (CCRP) Area at 2904 State Street Will Be of Benefit to the CCRP.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director/Deputy Director.
- Proposed resolution.
- Undated article submitted by Executive Director Rob Pearson, City of Santa Barbara Housing Authority.
- January 25, 2011, letter from Executive Committee Chair Michael Pittman, Social Venture Partners Santa Barbara.
- January 25, 2011, letter from Community Volunteer Joseph Tumbler, Social Venture Partners Santa Barbara.

The title of the resolution was read.

(Cont'd)

12. (Cont'd)

Speakers:

- Staff: Project Planner Simon Kiefer, Housing and Redevelopment Manager Brian Bosse, City Attorney/Agency Counsel Stephen Wiley, Assistant City Administrator/Community Development Director/Deputy Director Paul Casey, Housing Program Supervisor Steven Faulstich.
- City of Santa Barbara Housing Authority: Executive Director Rob Pearson.
- WillBridge of Santa Barbara: Executive Director Lynnelle Williams.
- Members of the Public: Connie Hannah, Santa Barbara League of Women Voters; Michael Pittman, Social Venture Partners; Joseph Tumbler; Peter Marin, Committee for Social Justice; Bob Casey, WillBridge of Santa Barbara; Lois Hamilton; Shannon Miller; Dr. Lee Heller; Jim Westby; Mickey Flacks.

Motion:

Council/Agency Members House/Francisco to approve the recommendations; Joint Council/Redevelopment Agency Resolution No. 11-001/1023 and Redevelopment Agency Agreement No. 534.

Vote:

Majority roll call vote (Noes: Council/Agency Members Hotchkiss, Self).

13. Subject: Loan To Peoples' Self-Help Housing Corporation For Acquisition Of 510-520 North Salsipuedes Street And 601 East Haley Street (660.04)

Recommendation: That the Redevelopment Agency Board and the City Council take the following actions:

- A. That the Agency Board approve a loan of \$2,000,000 in Agency Housing Setaside funds to Peoples' Self-Help Housing Corporation for the acquisition of the properties at 510-520 North Salsipuedes Street and 601 East Haley Street for eventual development of low income rental housing;
- B. That the Agency Board appropriate \$2,000,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the acquisition loan;
- C. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Adopting the Replacement Housing Plan Dated December 15, 2010, for the Property at 510-520 North Salsipuedes Street; and
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds for Development of Affordable Housing Located Outside the Central City Redevelopment Project Area (CCRP) at 510-520 North Salsipuedes Street and 601 East Haley Street Will Be of Benefit to the CCRP.

(Cont'd)

13. (Cont'd)

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director/Deputy Director.
- Proposed resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: Housing Program Supervisor Steven Faulstich, Housing and Redevelopment Manager Brian Bosse, Assistant City Administrator/Community Development Director/Deputy Director Paul Casey.
- People's Self-Help Housing Corporation: Executive Director Janet Duncan.
- Members of the Public: Connie Hannah, Santa Barbara League of Women Voters; Geoffery Bard.

Motion:

Council/Agency Members House/Self to approve the recommendations; Redevelopment Agency Agreement No. 535 and Resolution No. 1024; Joint Council/Redevelopment Agency Resolution No. 11-002/1025.

Vote:

Unanimous roll call vote.

RECESS

4:00 p.m. - 4:12 p.m.

CHANGES TO THE AGENDA

Motion:

Councilmembers White/Francisco to consider Agenda Item No. 17 next.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTSPARKS AND RECREATION DEPARTMENT

17. Subject: Interview And Appointment Of Youth Intern Applicant To Park And Recreation Commission (140.05)

Recommendation: That Council:

- A. Interview applicant Michael Yi for the position of Youth Intern on the Park and Recreation Commission; and

(Cont'd)

17. (Cont'd)

- B. Appoint Michael Yi to the position of Youth Intern on the Park and Recreation Commission.

Documents:

January 25, 2011, report from the Parks and Recreation Director.

Speakers:

- Staff: Neighborhood & Outreach Services Supervisor I Susan Young.
- Members of the Public: Applicant Michael Yi.

Motion:

Councilmembers Hotchkiss/Rowse to appoint Michael Yi to the position of Youth Intern on the Parks and Recreation Commission.

Vote:

Unanimous voice vote.

CITY ATTORNEY

14. Subject: Introduction Of Medical Marijuana Dispensary Ordinance - Amendment For Dispensaries Permitted Under The March 2008 Dispensary Ordinance (520.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code to Establish Revised Regulations for Those Storefront Medical Marijuana Dispensaries Permitted Under City Ordinance No. 5449 as Adopted on March 25, 2008.

Documents:

- January 25, 2011, report from the City Attorney.
- Proposed ordinance.
- January 25, 2011, letter from Ric Benitti.

The title of the ordinance was read.

Speakers:

- Staff: City Attorney Stephen Wiley.
- Members of the Public: Jamison Merrick, Mari Menlo, Tony Vassallo, Jim Westby, Geoffery Bard, Alan Bleecker.

Motion:

Councilmembers Francisco/White to approve the recommendation.

Vote:

Majority roll call vote (Noes: Councilmember Rowse).

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Introduction Of Energy Efficiency Standards Ordinance (630.06)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Chapter 22.82 of the Santa Barbara Municipal Code and Adopting a New Chapter 22.82 Establishing Local "Energy Efficiency Standards" For Certain Buildings and Improvements Covered by the 2010 California Energy Code.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed ordinance.
- January 25, 2011, letter from Chairman Michael Holliday, Santa Barbara Region Chamber of Commerce.
- January 25, 2011, letter from Government Affairs Director Jerry Bunin, Home Builders Association.

The title of the ordinance was read.

Speakers:

- Staff: Chief Building Official George Estrella.
- Gable Associates: Mike Gable.
- Southern California Edison Company: Javier Mariscal.
- Members of the Public: Karen Feeney, Allen Associates; Gil Barry; Darryl Deinhard; Paul Zink; Lindsey Taggart, Community Environmental Council; Michael Holliday, Santa Barbara Region Chamber of Commerce; Trish Odenthal; Geoffery Bard.

Motion:

Councilmembers House/Rowse to continue this item in order to allow staff an opportunity to explore potential incentives to include in the ordinance, and forward to the Ordinance Committee for consideration.

Substitute Motion:

Councilmembers Self/Hotchkiss to decline the ordinance at this time.

Vote on Substitute Motion:

Failed to carry by roll call vote (Ayes: Councilmembers Francisco, Hotchkiss, Self; Noes: Councilmembers House, Rowse, White, Mayor Schneider).

Vote on Main Motion:

Majority roll call vote (Noes: Councilmembers Francisco, Hotchkiss, Self).

16. Subject: Request To Amend Chapala Street Design Guidelines (640.02)

Recommendation: That Council consider the request from Councilmembers Francisco and Self regarding amending the Chapala Street Design Guidelines and provide direction to Staff as appropriate.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director.
- January 25, 2011, PowerPoint presentation prepared and made by staff.
- January 21, 2011, comments collected and submitted by Courtney Dietz.
- January 24, 2011, email communication from Janice Evans.

Speakers:

- Staff: Senior Planner II Jaime Limon, Principal Transportation Planner Rob Dayton, Assistant City Administrator/Community Development Director Paul Casey.
- Architectural Board of Review: Member Gary Mosel.
- Members of the Public: Ralph Fertig; Jim Westby; Bob Cunningham; Eva Inbar, COAST; Steve Petersen; Karen McFadden; Tony Vassallo; Courtney Dietz, COAST; B. Hansen; Edward France, Santa Barbara Bicycle Coalition; David Van Hoy, Mesa Architects; Dennis Thompson; Alex Pujo; Kellam de Forest; Tom Morrison.

Motion:

Councilmembers Francisco/Hotchkiss to remove the following paragraph from the Chapala Street Design Guidelines:

"Curb and sidewalk bulb outs shall be added at all intersections. The bulb outs provide more room for pedestrians to circulate near intersections and will significantly reduce the distance required to cross streets."

Amendment Motion:

Councilmembers Francisco/Hotchkiss to:

- 1) Remove the paragraph stated above from the Chapala Street Design Guidelines;
- 2) Eliminate the bulb-out at Canon Perdido and Chapala Streets; and
- 3) Direct staff to revise the Chapala Street Design Guidelines consistent with the deletion of the paragraph stated above, which includes all references to curb and mid-block extensions.

Substitute Motion:

Councilmembers House/White to change the word "shall" to "may" in the paragraph stated above from the Chapala Street Design Guidelines, and refer the development project at the intersection of Canon Perdido and Chapala Streets to the Historic Landmarks Commission for its input.

(Cont'd)

16. (Cont'd)

Vote on Substitute Motion:

Failed to carry by voice vote (Ayes: Councilmembers House, White, Mayor Schneider; Noes: Councilmembers Francisco, Hotchkiss, Rowse, Self).

Vote on Amendment Motion:

Majority voice vote (Noes: Councilmembers House, White, Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

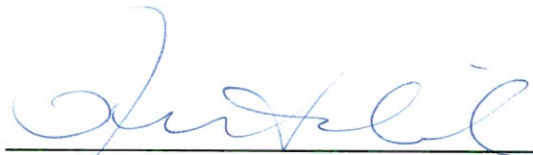
- Councilmember Self reported that she attended the Metropolitan Transit District Board meeting where the issue of the new bus routes was discussed.
- Councilmember Francisco reported that he attended the Cachuma Operation Maintenance Board meeting on Monday where they discussed the Second Barrel Project.
- Mayor Schneider reported that she attended the U.S. Conference of Mayors meeting in Washington, D.C., where she also took the opportunity to meet with our elected representatives in the Senate and House, members of the Army Corps of Engineers, and the federal government staff who oversee transportation, energy and water budgets.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 8:17 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST



CYNTHIA M. RODRIGUEZ, CMC
DEPUTY CITY CLERK