



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 17, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Ordinance Committee met at 12:00 p.m., and the Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Lori Cole.

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April 20-22, 2007, As National & Global Youth Service Days (120.04)

Action: Proclamation presented to Trisha Bartlett and Claudia Lopez, Youth Council.

### PUBLIC COMMENT

Speakers: Ramon Naranjo, David Homeless, Bob Hansen, Lee Moldaver.

### CONSENT CALENDAR (Item Nos. 2 – 9)

Motion:

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

Vote:

Unanimous voice vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 3, 2007.

Action: Approved the recommendation.

3. Subject: Notice Of Completion For The Storm Drain Diversion Projects At Hope Avenue And Haley Street (530.04)

Recommendation: That Council accept the work completed by Tierra Contracting, Contract No. 21,830, for construction of the Storm Drain Diversion Projects at Hope Avenue and Haley Street, Bid No. 3437, located at 100 West Haley Street and in the parking lot at La Cumbre Plaza (adjacent to Hope Street), in the final contract amount of \$459,347.81, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (April 17, 2007, report from the Public Works Director).

4. Subject: Contract For Wastewater Collection System Modeling (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Akel Engineering Group, Inc. (Akel), in the amount of \$64,080 to develop the next phase of the wastewater collection system (WWCS) model, and approve expenditures up to \$6,500 to cover any cost increases that may result from contract change orders for extra work.

Action: Approved the recommendation; Contract No. 22,409 (April 17, 2007, report from the Public Works Director).

5. Subject: Set A Date For Public Hearing Regarding Appeal Of Fire and Police Commission Approval Of Dance Permit for Sandbar

Recommendation: That Council:

- A. Set the date of May 1, 2007, at 2:00 p.m. for hearing the appeal filed by Kay Morter, Susie Thompson, and Tamara Erickson of the Fire and Police Commission approval of an application for property owned by Greg Newman and located at 514 State Street, Assessor's Parcel No. 037-173-037, C-M, Commercial Manufacturing Zone. The project proposes the issuance of a dance permit to the Sandbar restaurant/bar; and
- B. Set the date of April 30, 2007, at 1:30 p.m. for a site visit to the property located at 514 State Street.

Action: Approved the recommendations (March 8, 2007, letters of appeal).

6. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 561 West Mountain Drive

Recommendation: That Council:

- A. Set the date of June 12, 2007, at 2:00 p.m. for hearing the appeal filed by Craig Christenson of the Planning Commission Approval of an application by Brent Daniels, agent for Jorgensen Ranch, LLC, for property located at 561 W. Mountain Drive, Assessor's Parcel Number 021-110-018, A-1 One-Family Residence Zone, General Plan Designation: Residential - 1 Unit per Acre. The project proposes a 4-lot subdivision of an 8.8-acre parcel, and the discretionary applications required are Lot Frontage and Garage Size Modifications, a Public Street Frontage Waiver, a Tentative Subdivision Map and Neighborhood Preservation Ordinance Findings; and
- B. Set the date of June 11, 2007, at 1:30 p.m. for a site visit to the property located at 561 W. Mountain Drive.

Action: Approved the recommendations (March 26, 2007, letter of appeal).

7. Subject: Public Hearing Schedule - Two-Year Financial Plan for Fiscal Years 2008 and 2009 (230.05)

Recommendation: That Council approve the dates and times for the Public Hearings and Council Work Sessions on the City Administrator's Recommended Two-Year Financial Plan for Fiscal Years 2008 and 2009.

Action: Approved the recommendation (April 17, 2007, report from the Finance Director).

## NOTICES

8. The City Clerk has on Thursday, April 12, 2007, 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.
9. Cancellation of the regular Redevelopment Agency meeting of April 17, 2007, due to lack of business.

This concluded the Consent Calendar.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya Falcone reported that the Committee reviewed and will forward to Council on a future agenda the Neighborhood Preservation Ordinance Update and the Candidate Video Program. The Draft Municipal Election Campaign Disclosure Ordinance was continued to April 24, 2007.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Committee met to review the Two-Year Financial Plan for Fiscal Years 2008 and 2009 and will make further revisions before forwarding it to Council on a future agenda.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### PARKS AND RECREATION DEPARTMENT

10. Subject: Forty Assets For Santa Barbara Youth Coalition (570.06)

Recommendation: That Council hear a presentation on the Forty Assets for Santa Barbara Youth Coalition and Youth Summit Day.

Documents:

April 17, 2007, report from the Parks and Recreation Director.

Speakers:

- Staff: Recreation Programs Manager Sarah Hanna.
- Channel Islands YMCA: Director of Youth Outreach Programs Lisa Thomas Macrum.

By consensus, the Council received the report.

### PUBLIC WORKS DEPARTMENT

11. Subject: Cachuma Conservation Release Board And Cachuma Operation And Maintenance Board - Proposed Budgets (540.03)

Recommendation: That Council review the proposed Fiscal Year 2008 budgets for the Cachuma Conservation Release Board and the Cachuma Operation and Maintenance Board.

Documents:

- April 17, 2007, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Water Resources Manager Steve Mack.
- Cachuma Conservation Release Board and Cachuma Operation and Maintenance Board: Interim General Manager Kate Rees.

By consensus, the Council received the report.

12. Subject: Memorandum Of Understanding For Maintenance Of Railroad Corridor Within City Limits (700.05)

Recommendation: That Council:

- A. Authorize the City Administrator to execute a Memorandum of Understanding (MOU) between the City of Santa Barbara and Union Pacific Railroad Company (UP) for maintenance of the 5.9-mile-long section of railroad real property (Railroad Corridor) within City limits; and
- B. Increase the estimated Fiscal Year 2007 Streets Capital Fund revenues by the amount of \$24,000 and appropriate the same amount to the Fiscal Year 2007 Streets Operating budget.

Documents:

April 17, 2007, report from the Public Works Director.

Speakers:

Staff: Transportation Manager Browning Allen.

Motion:

Councilmembers Barnwell/Horton to approve the recommendations; Agreement No. 22,410.

Vote:

Unanimous voice vote.

## **PUBLIC HEARINGS**

13. Subject: Appeal Of The Planning Commission Approval For 1533 W. Valerio Street (640.07)

Recommendation: That Council deny the appeal of Mary Fiske and uphold the Planning Commission decision to approve the Lot Frontage Modifications, Garage Size Modification, Public Street Frontage Waiver, Neighborhood Preservation Ordinance Findings and Tentative Subdivision Map for the proposed two-lot subdivision and new residence, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 007-07.

Documents:

- April 17, 2007, report from the Community Development Director.
- April 8, 2007, letter from Kathryn Pieron.
- April 10, 2007, letter from John Belway.
- April 14, 2007, letter from Kevin and Jean Cook.
- April 15, 2007, letter from Renate Franquet.
- April 17, 2007, letter from Dr. and Mrs. J.F. Maguire.

(Cont'd)

13. (Cont'd)

Speakers:

- Staff: Senior Planner Jan Hubbell, Project Planner Allison De Busk, Assistant City Attorney Scott Vincent.
- Appellant: Mary Fiske.
- Applicant: Project Planner Justin Van Mullem, On Design Architects, Incorporated; Project Architect Tom Ochsner, On Design Architects, Incorporated.
- Planning Commission: Commissioner Harwood White.

Motion:

Councilmembers Williams/Schneider to approve the recommendation, excluding the Garage Size Modification.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Schneider, Williams, Mayor Blum; Noes: Councilmembers Barnwell, Falcone, Horton, House).

Motion:

Councilmembers House/Barnwell to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams, Mayor Blum).

**RECESS**

5:25 p.m. - 5:30 p.m.

**CLOSED SESSIONS**

14. Subject: Conference With Legal Counsel - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsection (b) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case. (Continued from April 10, 2007)

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

April 10, 2007, report from the City Attorney.

Time:

5:30 p.m. - 6:10 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:10 p.m. in honor of Claudia Madsen, who passed away on Sunday, April 15, 2007.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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MARTY BLUM  
MAYOR

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LORI COLE  
DEPUTY CITY CLERK