



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
July 24, 2012  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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**CALL TO ORDER**

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

**PLEDGE OF ALLEGIANCE**

Mayor Schneider.

**ROLL CALL**

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House (2:04 p.m.), Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Cathy Murillo.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

**PUBLIC COMMENT**

Speakers: Steve Reynolds, Scott Wenz, J.T. Turner.

**CONSENT CALENDAR (Item Nos. 1 – 6)**

The titles of the resolution and ordinance related to Consent Calendar items were read.

**Motion:**

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

**Vote:**

Unanimous roll call vote (Absent: Councilmember Murillo).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of July 10, 2012 (cancelled).

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For A Lease Agreement With Channel Island Outfitters, Inc., Doing Business As Paddle Sports Of Santa Barbara (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Channel Island Outfitters, Inc., Doing Business As Paddle Sports of Santa Barbara, at a Monthly Rent of \$2,762.75, for Approximately 956 Square Feet of Retail Space and 374 Square Feet of Water Area Adjacent to the Navy Pier in the Santa Barbara Harbor, Effective August 24, 2012.

Action: Approved the recommendation; Ordinance No. 5589; Agreement No. 24,210.

3. Subject: Approval Of Consent To Assignment Of Lease No. 23,965 - Sushi Go Go (330.04)

Recommendation: That Council approve a Consent to Assignment of Lease No. 23,965 from Kyung Wang and Sarah Wang, Doing Business As Sushi Go Go, to Kyong Min Kim for the 198 square foot restaurant located at 119-B Harbor Way for a Five Year Term with one Five Year Option.

Action: Approved the recommendation; Consent to Assignment of Lease No. 23,965; (July 24, 2012 report from the Waterfront Director).

4. Subject: Acceptance Of Street Easements For The El Encanto Hotel Project And A Public Walkway Easement At 2050 Alameda Padre Serra (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Exclusive Easements for Public Streets and Related Purposes and Uses In, On, Over, Under, Along, Through and Across That Certain Real Property Commonly Known as 1900 Lasuen Road, and for a Non-Exclusive Easement for Public Pedestrian Walkway and All Related Purposes on That Certain Real Property Commonly Known as 2050 Alameda Padre Serra.

Action: Approved the recommendation; Resolution No. 12-054; Deed numbers 61-384 – 61-386; (July 24, 2012 report from the Public Works Director; proposed resolution).

5. Subject: Contract For Construction For The Conejo Road Repairs And Sewer Improvements 2012 Project (640.04)

Recommendation: That Council:

- A. Award a contract with John Madonna Construction Company, Inc., waiving minor irregularities, in their low bid amount of \$351,739 for construction of the Conejo Road Repairs and Sewer Improvements 2012 Project, Bid No. 3666;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$70,348 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;
- C. Authorize the Public Works Director to execute a contract with Penfield & Smith in the amount of \$50,450 for construction support services, including geotechnical observation/inspection services and materials testing, and approve expenditures of up to \$5,045 for extra services of Penfield & Smith that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with Cotton, Shires and Associates in the amount of \$19,500 for slope inclinometer and piezometer monitoring services, and approve expenditures of up to \$1,950 for extra services of Cotton, Shires and Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,211 – 24,213 (July 24, 2012 report from the Public Works Director).

6. Subject: Acceptance of Electric Vehicle Charging Station Grant (630.05)

Recommendation: That Council authorize the Public Works Director to execute an agreement with the Santa Barbara County Air Pollution Control District for the use of grant funds of up to \$10,000 to assist with the installation cost of the electric vehicle charging stations.

Action: Approved the recommendation; Agreement No. 24,214 (July 24, 2012 report from the Public Works Director).

7. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 901 Olive Street (640.07)

Recommendation: That Council:

- A. Set the date of September 11, 2012, at 2:00 p.m. for hearing the appeal filed by Grant Castleberg of the Architectural Board of Review approval of an application for property owned by 901 Holdings LLC and located at 901 Olive Street, Assessor's Parcel No. 029-302-018, C-2 Commercial Zone, General Plan Designation: Commercial/Medium High Residential (15-27 Dwelling Units per Acre). The project proposes the construction of 10 one-story, studio apartment units and 9 two-story, one-bedroom apartment units above a new two-level parking structure. The new apartment units and parking structure will be added to an existing two-story office building; total development would be 60,060 square feet with a maximum height of 51 feet on a 33,005 square-foot lot. The project also includes alterations to the existing office building. The Staff Hearing Officer granted a zoning modification for a reduction in the number of required parking spaces; and
- B. Set the date of September 10, 2012, at 1:30 p.m. for a site visit to the property located at 901 Olive Street.

Action: Approved the recommendations (June 21, 2012 letter of appeal).

#### NOTICES

8. The City Clerk has on Thursday, July 19, 2012, 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.

#### **PUBLIC HEARING**

9. Subject: Introduction Of An Ordinance And Adoption of Resolutions For The Annexation Of 4151 Foothill Road And 675 And 681 Cieneguitas Road And A Final Economic Development Designation For 4151 Foothill Road And 681 Cieneguitas Road (680.04)

Recommendation: That Council:

- A. Consider the Planning Commission's recommendation to approve the annexation of properties located at 4151 Foothill Road and 675 and 681 Cieneguitas Road;
- B. Make the environmental findings contained in the Council Agenda Report;

(Cont'd)

## 9. (Cont'd)

- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning Upon Annexation of Assessor's Parcel Number 059-160-017 Located at 4151 Foothill Road, Assessor's Parcel Number 059-160-021 Located at 675 Cieneguitas Road and Assessor's Parcel Number 059-160-023 Located at 681 Cieneguitas Road in the Hope Neighborhood;
- D. Adopt, by a reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara and Detachment from the Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 (Goleta Valley - Multipurpose) and County Service Area 32 (Unincorporated Area - Law Enforcement) for Certain Real Property Located at 4151 Foothill Road (Assessor's Parcel Number 059-160-017), 675 Cieneguitas Road (Assessor's Parcel Number 059-160-021) and 681 Cieneguitas Road (Assessor's Parcel Number 059-160-023);
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Number 059-160-017 Located at 4151 Foothill Road, Assessor's Parcel Number 059-160-021 Located at 675 Cieneguitas Road and Assessor's Parcel Number 059-160-023 Located at 681 Cieneguitas Road, Which Will Be Annexed to the City of Santa Barbara; and
- F. Find that the development project at 4151 Foothill Road and 681 Cieneguitas Road meets the definition of an Economic Development Project for the reasons stated in this report, and grant the project a Final Economic Development Designation for an allocation of 13,526 square feet of nonresidential floor area.

## Documents:

- July 24, 2012 report from the Assistant City Administrator.
- Proposed Ordinance.
- Proposed Resolutions.
- Affidavit of Publication.
- June 11, 2012 Final Mitigated Declaration
- July 24, 2012 PowerPoint presentation prepared and made by Staff.
- July 24, 2012 documents submitted by Delbert Britschgi and Michael Rittenberg.

The titles of the ordinance and resolutions were read.

Public Comment Opened:  
2:11 p.m.

(Cont'd)

## 9. (Cont'd)

**Speakers:**

- Staff: Project Planner Allison De Busk.
- Members of the Public: Santa Barbara Local Agency Formation Commission Executive Officer Bob Braitman, Lisa Hoffman Rittenberg, Del Britschgi, Michael Towbes, Kurt Ransohoff, Patty Ferguson, Bryan Emmerson, James Egan, Michael Petretta.

**Public Comment Closed:**

2:51 p.m.

**Motion:**

Councilmembers House/White to approve the proposed annexation with the exclusion of the Planning Commission conditions on the property located at 675 Cieneguitas Road; Resolution Nos. 12-055 and 12-056.

**Vote:**

Unanimous roll call vote. (Absent: Councilmember Murillo).

**Motion:**

Councilmembers Rowse/Francisco to allow exemption of the City's sign ordinance on 675 Cieneguitas Road's pole sign as long as the property remains under current use or ownership of the property.

**Vote:**

Motion failed. (Noes: Councilmembers Hotchkiss, House, White and Mayor Schneider; Absent: Councilmember Murillo).

**Motion:**

Councilmembers House/Hotchkiss to approve the recommendation to provide the owner of the pole sign at 675 Cieneguitas Road five years to bring the sign into compliance with the City's sign ordinance.

**Vote:**

Unanimous roll call vote. (Absent: Councilmember Murillo).

**RECESS:**

3:29 – 3:41 p.m.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### AIRPORT DEPARTMENT

#### 10. Subject: Naming Of The New Airline Terminal (560.01)

Recommendation: That Council receive a recommendation from the Airport Commission regarding the naming of the new airline terminal and give direction to staff.

#### Documents:

July 24, 2012 report from the Airport Director.

#### Speakers:

- Staff: Airport Director Karen Ramsdell.
- Airport Commission: Commissioner William Gilbert.
- Members of the Public: John Clark, Edward Hartfeld, Jeremy Hass, Erin Graffy, Anthony Guntermann, Mack Staten, Judie Stanley, Dan Secord, Tina Foss, Marianne Partridge, Eric Hvolboll.

#### Motion:

Councilmembers House/Francisco to continue this item for 90 days in order to provide for more opportunity for public input prior to making a final decision.

#### Vote:

Unanimous voice vote (Absent: Councilmember Murillo).

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Mayor Schneider acknowledged the Sister City group visiting from Puerto Vallarta.
- Councilmember Rowse reported on his attendance at a recent Downtown Parking Committee meeting.

## RECESS

Mayor Schneider recessed the meeting at 4:54 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 11 and 12, and said that no reportable action is anticipated.

**CLOSED SESSIONS**

11. Subject: Conference With Real Property Negotiators - 319 West Haley Street (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 in to provide direction to the City Administrator and to the City Attorney regarding the possible City sale of the real property known as 319 W. Haley Street.

Property: 319 W. Haley Street  
 City Negotiator: City Transportation Planning Manager and the City Attorney's office  
 Negotiating Party: Pathpoint, Inc.  
 Under Negotiation: Price, terms of payment, possible exchange terms  
 Scheduling: Duration, 20 minutes; anytime  
 Report: None anticipated

Documents:

July 24, 2012 report from the City Attorney.

Time:

4:57 p.m. – 5:05 p.m.

No report made.

12. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit, the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime  
 Report: None anticipated

Documents:

July 24, 2012 report from the Assistant City Administrator.

Time:

5:05 p.m. – 5:25 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:25 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



HELENE SCHNEIDER  
MAYOR

ATTEST:



GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER