



## CITY OF SANTA BARBARA CITY COUNCIL MINUTES

### REGULAR MEETING February 5, 2008 COUNCIL CHAMBER, 735 ANACAPA STREET

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#### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 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: Iya G. Falcone (2:03 p.m.), Dale Francisco, 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: First Annual Endowment For Youth Committee Black History Month Celebration February 2008 (120.04)

##### Speakers:

Members of the Public: Endowment for Youth Committee Board Member Susan Young, Endowment for Youth Committee Board Member Craig Smith, Chaye Alexander, Brotherhood of Santa Barbara Board Member Willie Shaw.

Action: Proclamation presented to Endowment for Youth Committee Board Member Susan Young.

2. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through February 29, 2008.

Documents:

February 5, 2008, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong.

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

10-Year Pin

Martin Alexander, Sr. Network/Applications Analyst, Police  
Leslie Lund, Recreation Coordinator, Parks and Recreation

15-Year Pin

Anna Lehr, Project Engineer II, Public Works

20-Year Pin

Robyn Dimizio, Fire Engineer, Fire  
Sarah McCarter, Fire Engineer, Fire  
Thomas Rauch, Police Officer, Police  
Larry Moorman, Administrative Specialist, Public Works

**PUBLIC COMMENT**

Speakers: Ruth Wilson, Richard Ross, Bret Hughes.

**CONSENT CALENDAR**

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of January 22, 2008 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

4. 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 Office.

Action: Approved the recommendation; Resolution No. 08-005 (February 5, 2008, report from the Waterfront Director; proposed resolution).

5. Subject: Contract With R&M Technologies To Design And Install A Solar Thermal Unit At The Marina One East Restroom (570.03)

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute a contract with R&M Technologies in the amount of \$23,645 to design and install a solar thermal unit at the Marina One east restroom; and
- B. Authorize the Waterfront Director to approve expenditures up to \$2,365 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,657 (February 5, 2008, report from the Waterfront Director).

6. Subject: Professional Services Contracts For The Laguna Channel Watershed And Water Quality Improvement Feasibility Study (540.14)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a professional services agreement with Geosyntec Consultants in the amount of \$105,344 for conducting a watershed study and feasibility analysis; and
- B. Authorize the Parks and Recreation Director to execute a professional services agreement with the University of California, Santa Barbara (UCSB) in the amount of \$49,992 to conduct the microbial source tracking component of the watershed study.

Action: Approved the recommendations; Agreement Nos. 22,658 and 22,659 (February 5, 2008, report from the Parks and Recreation Director).

7. Subject: Notice Of Completion For Marina 4B Renovation (570.03)

Recommendation: That Council accept the work completed by Associated Pacific Constructors, Inc. (APCI), Contract No. 22,530, for the Marina 4B Renovation Project, Bid No. 3511, located at the Santa Barbara City Waterfront, in the final contract amount of \$441,554.36, including approved changes of \$31,555.36, and approve filing of a Notice of Completion.

Action: Approved the recommendation (February 5, 2008, report from the Acting Public Works Director).

8. Subject: Notice Of Completion For The Sewer Main Improvement Project, Fiscal Years 2005-2006 (540.13)

Recommendation: That Council accept the work completed by Insituform Technologies, Inc., Contract No. 22,147, for the Sewer Main Improvement Project, Fiscal Years 2005-2006, Bid No. 3428, in the final contract amount of \$2,018,303.99, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (February 5, 2008, report from the Acting Public Works Director).

9. Subject: Acceptance Of Street Easements For The Loma Alta Sidewalk Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Easement Purchase Agreements, and Accepting Easements for Public Street Purposes on Portions of the Real Properties Commonly Known as 709 West Canon Perdido Street, 711 West Cota Street, 809 Marilla Avenue, and 815 Marilla Avenue; and Authorizing the Public Works Director to Execute These Easement Purchase Agreements, and Consenting to the Recordation by the City Clerk of Street Easement Deeds in the Official Records, County of Santa Barbara.

Action: Approved the recommendation; Resolution No. 08-006; Agreement Nos. 22,660 - 22,663; Deed Nos. 61-328 - 61-331 (February 5, 2008, report from the Acting Public Works Director; proposed resolution).

10. Subject: Adoption Of Architecture 2030 Energy Ordinance (630.06)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Repealing Chapter 22.82 of Title 22 of the Santa Barbara Municipal Code and Enacting a New Chapter 22.82 Establishing Local Energy Efficiency Standards for Certain Buildings and Improvements Covered by the 2005 California Building Energy Efficiency Standards.

Speakers:

Members of the Public: Jerry Bunin, Home Builders Association; Dave Davis, Community Environmental Council; Paul Poirier, U.S. Green Building Council; Michael Holliday, U.S. Green Building Council.

Action: Approved the recommendation; Ordinance No. 5446 (February 5, 2008, report from the Acting Public Works Director).

11. Subject: Peak Las Positas Subdivision (900 - 1100 Las Positas) Veronica Meadows Project (680.04)

Recommendation: That Council:

- A. Rescind the City Council certification of the Final Environmental Impact Report for the Peak Las Positas Subdivision Veronica Meadows Specific Plan dated January 2005;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Repealing City Ordinance No. 5403 Adopted on December 19, 2006, Initiating the Annexation of the Peak Las Positas Veronica Meadows Property and Approving the Peak Las Positas Veronica Meadows Specific Plan and Other Related Council Actions; and
- C. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Rescinding Resolution No. 06-100 Making Certain Environmental Findings and Approving a Lot Line Adjustment and Coastal Development Permit for the Peak Las Positas Veronica Meadows Project.

Documents:

- February 5, 2008, report from the City Attorney.
- Proposed Ordinance.
- Proposed Resolution.
- Superior Court of the County of Santa Barbara Statement of Decision regarding Citizens Planning Association vs. City of Santa Barbara dated December 5, 2007, submitted by Mark Chyttilo.

Speakers:

- Staff: City Attorney Stephen Wiley.
- Members of the Public: Mark Chyttilo, Citizens Planning Association and Urban Creeks Council; David Pritchett, Creeks Advisory Committee; Steve Amerikaner, Peak Las Positas Partners.

Action: Approved the recommendations; Resolution No. 08-007.

## NOTICES

- 13. The City Clerk has on Thursday, January 31, 2008, 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.
- 14. Cancellation of the regular Redevelopment Agency meeting of February 5, 2008, due to lack of business.

This concluded the Consent Calendar.

**ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Schneider stated she would abstain from voting on the following item due to a conflict of interest related to her ownership of property proximate to the project.

12. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 1236 San Andres Street

Recommendation: That Council:

- A. Set the date of March 11, 2008, at 2:00 p.m. for hearing the appeal filed by Paula Westbury of the Planning Commission's Approval of an application by Kirk Gradin, Architect for Blankenship Construction, and located at 1236 San Andres Street, Assessor's Parcel Number 039-151-001, R-3 Limited Multi-Family Residence Zone, General Plan Designation: Residential, 12 Units per Acre. The project proposes the demolition of two permitted dwellings and two accessory structures and construction of a four-unit condominium building on a 10,000 square-foot lot and the discretionary applications required are a Tentative Subdivision Map and a Yard Modification; and
- B. Set the date of March 10, 2008, at 1:30 p.m. for a site visit to the property located at 1236 San Andres Street.

Documents:

October 4, 2007, letter of appeal.

Motion:

Councilmembers Falcone/Horton to approve the recommendations.

Vote:

Unanimous voice vote (Abstention: Councilmember Schneider).

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Committee met to receive an update on the Fire Station No. 1 Seismic Renovation Project which will be presented to Council as Agenda Item No. 17.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS****PUBLIC WORKS DEPARTMENT**

15. Subject: Water Conservation Requirements For New Construction And Renovations At City Facilities (540.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Water Conservation Requirements for New Construction and Renovations at City Facilities.

(Cont'd)

## 15. (Cont'd)

## Documents:

- February 5, 2008, report from the Acting Public Works Director.
- Proposed Resolution.

## Speakers:

Staff: Acting Public Works Director Paul Casey, Water Conservation Coordinator Alison Jordan.

## Motion:

Councilmembers Williams/Schneider to approve the recommendation; Resolution No. 08-008.

## Vote:

Unanimous roll call vote.

## 16. Subject: Update And Request For Additional Funding For The Sewer Lateral Inspection Program (540.13)

Recommendation: That Council receive an update from staff on the Fiscal Year 2008 Sewer Lateral Inspection Program (SLIP), and appropriate \$240,000 from Wastewater Fund Reserves to the Wastewater Fund Fiscal Year 2008 Operating Budget.

## Documents:

February 5, 2008, report from the Acting Public Works Director.

## Speakers:

- Staff: Acting Public Works Director Paul Casey, Acting Wastewater System Manager John Schoof.
- Members of the Public: Kira Redmond, Santa Barbara Channelkeeper; Hillary Hauser, Heal the Ocean.

## Motion:

Councilmembers Horton/Falcone to approve the recommendation.

## Vote:

Unanimous voice vote.

## 17. Subject: Update Fire Station No. 1 Seismic Renovation Project (700.08)

Recommendation: That Council receive an update on the Fire Station No. 1 Seismic Renovation Project and direct staff to proceed with bidding.

## Documents:

February 5, 2008, joint report from the Fire Chief, Acting Community Development Director and Acting Public Works Director.

(Cont'd)

## 17. (Cont'd)

## Speakers:

Staff: Fire Chief Ron Prince, Acting Community Development Director David Gustafson.

Councilmember Falcone left the meeting at 3:38 p.m. and returned at 3:46 p.m.

## Motion:

Councilmembers Horton/Schneider to approve the recommendation.

## Vote:

Unanimous voice vote.

**RECESS**

3:54 p.m. - 4:05 p.m. City Administrator James Armstrong was absent and Assistant City Administrator Joan Kent was present when the meeting reconvened.

**PUBLIC HEARINGS**

## 18. Subject: Appeal Of Planning Commission Approval Of 518 State Street Project (640.07)

Recommendation: That Council deny the appeal of the Church of Scientology and uphold the Planning Commission approval of the Parking Modification and Development Plan for the mixed-use development proposed at 518 State Street.

## Documents:

- February 5, 2008, report from the Acting Community Development Director.
- Affidavit of Publication.
- February 4, 2008, e-mail correspondence from Patricia Hiles.

Public Comment Opened: 4:07 p.m.

## Speakers:

- Staff: Senior Planner Jan Hubbell, Associate Planner Kathy Kennedy, Building Inspector/Plan Check Supervisor Christopher Hansen, Associate Planner Jake Jacobus, Principal Transportation Planner Rob Dayton.
- Planning Commission: Commissioner Bruce Bartlett.
- Appellant: Lee Holzinger, Peter Hunt.
- Applicant: Brian Cearnal.
- Members of the Public: Jim Craviotto, Trevor Martinson.

Public Comment Closed: 5:00 p.m.

(Cont'd)

18. (Cont'd)

Motion:

Councilmembers Williams/House to approve the recommendation.

Vote:

Unanimous voice vote.

## MAYOR AND COUNCIL REPORTS

19. Subject: Appointment To The Metropolitan Transit District Board (140.05)

Recommendation: That Council make an appointment to the Metropolitan Transit District Board.

Documents:

February 5, 2008, report from the Administrative Services Director.

Nominees:

Sharon Anderson, Susan Chan Egan.

Vote:

- For Anderson: Councilmembers Falcone, Francisco, Schneider, Williams, Mayor Blum.
- For Egan: Councilmembers Horton, House.

Appointment:

Sharon Anderson was appointed for a term expiring March 6, 2009.

## RECESS

Mayor Blum recessed the meeting at 5:28 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 20 and 21, and stated that no reportable action is anticipated. City Administrator James Armstrong was present and Assistant City Administrator Joan Kent was absent when the Council reconvened in closed session.

## CLOSED SESSIONS

21. 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 Janeways v. City of Santa Barbara, et al., SBSC Case No. 01111681.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Cont'd)

21. (Cont'd)

Documents:

February 5, 2008, report from the City Attorney.

Time:

5:30 p.m. - 6:50 p.m.

Councilmember Williams left the meeting at 6:15 p.m.

No report made.

**CHANGES TO THE AGENDA**

Item Removed from Agenda

The following item was removed from the Agenda and continued to February 12, 2008.

20. Subject: Conference With Real Property Negotiators - Fremont Hall Army Reserve Center (330.03)

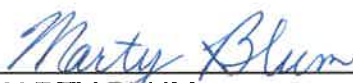
Recommendation: That Council hold a closed session to provide direction to City Administration staff and the City Attorney regarding the possible City acquisition of the real property known as Fremont Hall Army Reserve Center. Property: 3237 State Street (APN 051-112-019) City Negotiator: City Administrator's Staff and the City Attorney's Office. Negotiating Party: U.S. Army Representative. Under Negotiation: Price, terms of payment, possible exchange terms. Scheduling: Duration, 20 minutes; anytime Report: None anticipated

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:50 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

  
MARTY BLUM  
MAYOR

ATTEST:   
for LORI COLE  
DEPUTY CITY CLERK