



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING July 27, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Falcone.

### ROLL CALL

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

Councilmembers absent: Mayor Blum.

Staff present: City Administrator/Clerk James L. Armstrong, Acting City Attorney Scott Vincent, Deputy City Clerk Brenda Alcazar.

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING JULY 31, AND AUGUST 1, 2004, AS GREEK FESTIVAL DAYS (120.04)

ACTION: Proclamation presented to Reverend Paul Paris, Saint Barbara Greek Orthodox Church.

### PUBLIC COMMENT

SPEAKERS: Ken Loch, Timothy Harding.

**CONSENT CALENDAR** (Item Nos. 2 – 8)

**MOTION:**

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

**VOTE:**

Unanimous voice vote (Absent: Mayor Blum).

2. **SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of July 13, 2004.

**ACTION:** Approved the recommendation.

3. **SUBJECT: AGREEMENT FOR CRIMINAL JUSTICE EARLY IDENTIFICATION SPECIALIST (520.04)**

**RECOMMENDATION:** That Council appropriate \$44,300 for the 12-month period 09/01/04 through 08/31/05, and \$45,629 for the 12-month period 09/01/05 through 08/31/06, and \$47,000 for the 12-month period 09/01/06 through 08/31/07, in available Asset Forfeiture funds to the Police Department Special Operations Account to fund the Council on Alcoholism and Drug Abuse for a Criminal Justice Early Identification Specialist position.

**SPEAKER:**

Staff: Police Captain Frank Mannix.

**ACTION:** Approved the recommendation; Agreement No. 21,470 (July 27, 2004, Police Chief's report).

4. **SUBJECT: COMMUNITY PROMOTION CONTRACT WITH SANTA BARBARA REGION CHAMBER OF COMMERCE (180.01)**

**RECOMMENDATION:** That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$59,492 to support year-round expenses of the Visitor Information Center for August 1, 2004, through July 31, 2005.

**ACTION:** Approved the recommendation; Contract No. 21,471 (July 27, 2004, Finance Director's report).

5. SUBJECT: AGREEMENT FOR LAW ENFORCEMENT SERVICES AT SPECIAL EVENTS (520.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement between the City of Santa Barbara and the Santa Barbara County Sheriff's Department for Hourly Law Enforcement Services at Special Events which will run until June 30, 2007.

ACTION: Approved the recommendation; Agreement No. 21,472 (July 27, 2004, Police Chief's report).

## NOTICES

6. The City Clerk has on Thursday, July 22, 2004, at 3:00 p.m. 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.
7. A City Council site visit is scheduled on Monday, July 26, 2004, at 1:30 p.m. to the property located at 221 San Clemente Drive, which is the subject of an appeal hearing for July 27, 2004, at 2:00 p.m.
8. A City Council site visit is scheduled on Monday, August 2, 2004, at 1:30 p.m. to the property located at 2135 State Street, which is the subject of an appeal hearing set for August 3, 2004, at 2:00 p.m.

This concluded the Consent Calendar.

## **FINANCE COMMITTEE REPORT**

9. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, JULY 27, 2004, 12:00 P.M., IN ROOM 15 (120.03)
  - A. Investment Management Review (See Item No. 11);
  - B. Request From Harley Augustino Concerning City Financial Support of the Metropolitan Transit District; and
  - C. Inter-Regional Partnerships For Jobs, Housing and Mobility Report.
10. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee discussed the Investment Management Report which will be presented to the Council as Item No. 11. They also discussed a request from Harley Augustino regarding City financial support of the MTD; staff will work with the MTD and the Transportation and Circulation Committee regarding this request. The Committee also discussed the Inter-Regional Partnerships for Jobs, Housing and Mobility Report prepared for SBCAG and are supportive of their efforts; Phase 2 may be presented to the Council at a future date.

11. SUBJECT: INVESTMENT MANAGEMENT REVIEW (260.02)

RECOMMENDATION: That Council receive and accept the second quarter 2004 Investment Management Review from PFM Asset Management, LLC (PFM).

DOCUMENT:

July 27, 2004, Finance Director's report.

SPEAKERS:

- Staff: Finance Director Robert Peirson.
- PFM Asset Management, LLC: Nancy Jones.

MOTION:

Councilmembers Barnwell/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton spoke about a meeting with Ms. Lindemann from SBCAG Traffic Solutions where they discussed a van pool program which can potentially lead to a commuter rail program.
- Mayor Pro Tempore Falcone reported that she attended a League of California Cities Division meeting last week and was elected as the Division President for next year.
- Councilmember Williams mentioned that he attended a meeting regarding the proposed St. Francis development and that the proposed percentage for affordable housing was reduced to 70%; he also mentioned that they have not started discussion regarding traffic mitigation.

### MAYOR AND COUNCIL REPORTS

13. SUBJECT: PENDING LEGISLATION AND STATE BALLOT MEASURES (160.02)

RECOMMENDATION: That Council:

- A. Support AB 2006, the Reliable Electric Service Act of 2004, and authorize the Mayor to send advocacy letters to legislators and the Governor;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Support of Proposition 63, the Mental Health Services Act; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Opposition to Proposition 68, the Gaming Revenue Act of 2004.

(Cont'd)

13. (Cont'd)

DOCUMENTS:

- July 27, 2004, City Administrator's report.
- Proposed Resolutions.

SPEAKERS:

- Staff: City Special Projects Manager Don Olson.
- Southern California Edison: Regional Manager Ernie Villegas.

MOTION:

Councilmembers Secord/Horton to approve Recommendation A.

VOTE:

Unanimous voice vote (Absent: Mayor Blum).

SPEAKERS:

- Staff: City Special Projects Manager Don Olson.
- Santa Barbara County Mental Health Association: Annmarie Cameron, Margaret Lydon.

MOTION:

Councilmembers Williams/Horton to approve Recommendation B;  
Resolution No. 04-062.

VOTE:

Majority roll call vote (Absent: Mayor Blum; Noes: Councilmember Secord).

SPEAKERS:

- Staff: City Special Projects Manager Don Olson.
- No on Proposition 68: Brandon Stephenson.

MOTION:

Councilmembers Secord/Barnwell to approve Recommendation C;  
Resolution No. 04-063.

VOTE:

Unanimous roll call vote (Absent: Mayor Blum).

14. SUBJECT: BALLOT ARGUMENT FOR ARCHITECTURAL BOARD OF REVIEW BALLOT MEASURE (110.01)

RECOMMENDATION: That Council accept the Subcommittee's Draft Argument for the November 2, 2004, election.

DOCUMENTS:

July 27, 2004, report from the Subcommittee on ABR Ballot Argument.

(Cont'd)

14. (Cont'd)

**SPEAKERS:**

Staff: City Clerk Services Manager Mabi Covarrubias Plisky.

**MOTION:**

Councilmembers Secord/Barnwell to revise the fourth paragraph to state that up to four of the nine members may be appointed from outside the City limits.

**VOTE:**

Unanimous voice vote (Absent: Mayor Blum).

City Administrator James L. Armstrong left the meeting at 3:00 p.m. and Assistant City Administrator Joan Kent took his place.

**PUBLIC HEARING**

12. SUBJECT: APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 221 SAN CLEMENTE DRIVE (640.07)

**RECOMMENDATION:** That Council:

- A. Deny the appeal and uphold the Architectural Board of Review's decision to grant Preliminary Approval of the proposed addition and conditionally approve the project in its reduced size; and
- B. Refer the project to the Architectural Board of Review for review of additional design changes to further reduce or change the massing of the structure to be more in compliance with the Neighborhood Preservation Ordinance.

**DOCUMENTS:**

- July 27, 2004, Community Development Director's report.
- April 22, 2004, Letter of appeal.
- July 22, 2004, letter from Architectural Board of Review Commissioner Derrik Eichelberger.
- July 8, 2004, letter from Norman and Elaine Sorg.
- July 9, 2004, letter from Otis Calef.
- July 12, 2004, letter, petition and copies of survey cards from Eric Schott.
- July 12, 2004, letter from Dorothy J. Brooks.
- July 23, 2004, letter and DVD of July 12, 2004, ABR meeting from Mr. and Mrs. Jason Dodd.
- July 23, 2004, letter from Mr. and Mrs. Samuel G. Long, Jr.
- July 25, 2004, letter from Eileen M. Johnson.
- July 26, 2004, letter from Allied Neighborhoods Association.
- July 27, 2004, e-mail communication from Robert Myers.
- July 27, 2004, letter from Eric Schott.
- July 27, 2004, letter from Citizens Planning Association.

(Cont'd)

12. (Cont'd)

DOCUMENTS (Cont'd):

- July 27, 2004, written comments from Lee Moldaver.
- July 27, 2004, written comments from Gregg Leach.
- July 27, 2004, map of the Marine Terrace submitted by Joe Cantrell.
- Undated letter with copies of survey cards from The Mesa Improvement Organization.
- Documents previously submitted on June 22, 2004.

SPEAKERS:

- Staff: Senior Planner Jaime Limón.
- Architectural Board of Review: Commissioner Bruce Bartlett.

RECESS: 3:30 p.m. – 3:45 p.m.

SPEAKERS (Cont'd):

- Appellant: Jason Dodd.
- Applicant: Derek Westen, Hans Miller, Donna Moser.
- Staff: Senior Planner Limón, Community Development Director Paul Casey, City Planner Bettie Hennon, Acting City Attorney Scott Vincent.
- Members of the Public: Arlie M. Skov; Dianne Channing; Timothy Harding, Mesa Improvement Organization; Shelly Azbell Garvey; S. Dorothy Fox; Eileen Johnson; Craig Cooper; Erik Ozoling; Michael Paskin; Susan Trescher; Shannon Curtis; Greg Jacobson; Sam Long; Mary Jane Headlee; James Kahan; Jenifer Moore; Roger Moore; Scott Armstrong; Eric Schott; Jim Buckley; Pat Edick; Joe Cantrell, Marine Terrace Preservation Organization; Emmet Hawkes; Nancy Martz; Daniel Wilson.

MOTION:

Councilmembers Schneider/Barnwell to deny the appeal, approve the 2,658 square foot project revision presented to ABR on July 12, 2004, and refer the project to ABR for review and final design approval with the direction that any additional changes related to massing does not inadvertently result in significant cost to the design because of foundation work.

REVISED MOTION:

Councilmembers Schneider/Barnwell to deny the appeal, approve the 2,658 square foot project revision presented to ABR on July 12, 2004, uphold the ABR's decision to grant preliminary approval, and refer the project to ABR for review and final design approval with the direction that any modifications to the second story massing must not result in significant costs due to foundation changes

(Cont'd)

12. (Cont'd)

REVISED MOTION:

Councilmembers Schneider/Barnwell to deny the appeal, approve the 2,658 square foot project revision presented to ABR on July 12, 2004, finding that the revised project does not constitute a significant change from the preliminary approval granted by the ABR on April 12, 2004, and refer the project to ABR for review and final design approval with the direction that any modifications to the second story massing must not result in significant costs due to foundation changes.

REVISED MOTION:

Councilmembers Schneider/Barnwell to deny the appeal, approve the 2,658 square foot project revision presented to ABR on July 12, 2004, making the NPO findings specified in Section 22.68.060 of the Municipal Code, finding that the revised project does not constitute a significant change from the preliminary approval granted by the ABR on April 12, 2004, and refer the project to ABR for review and final design approval with the direction that any modifications to the second story massing must not result in significant costs due to foundation changes.

VOTE:

Unanimous voice vote (Absent: Mayor Blum)

**MAYOR AND COUNCIL REPORTS (CONT'D)**

15. SUBJECT: CITY COUNCIL AGENDA AND MEETING PROCEDURES (120.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Concerning the Conduct of City Council Meetings Commencing August 1, 2004, and Rescinding Resolution No. 02-099.

DOCUMENTS:

- July 27, 2004, Assistant City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: City Administrator James L. Armstrong, Acting City Attorney Scott Vincent.

MOTION:

Councilmembers Horton/Schneider to approve the recommendation.

(Cont'd)

15. (Cont'd)

**REVISED MOTION:**

Councilmembers Horton/Schneider to revise paragraphs 9C and 10C of the resolution to state "...appropriate and within the jurisdiction for the City Council...."

**REVISED MOTION:**

Councilmembers Horton/Schneider to revise paragraphs 9C and 10C of the resolution to state "...appropriate and within the jurisdiction for the City Council..." and to direct staff to return to the Council for review in 1 year; Resolution No. 04-064.

**VOTE:**

Unanimous roll call vote (Absent: Mayor Blum).

**COUNCIL AND STAFF COMMUNICATIONS**

Mayor Pro Tempore Falcone stated that the City wishes Mayor Marty Blum well and hopes that she will have a speedy recovery.

**ADJOURNMENT**

Mayor Pro Tempore Falcone adjourned the meeting at 6:36 p.m., to Monday, August 2, 2004, at 1:30 p.m. for a site visit to the property located at 2135 State Street.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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IYA G. FALCONE  
MAYOR PRO TEMPORE

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BRENDA ALCAZAR  
DEPUTY CITY CLERK