



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING December 6, 2016 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 Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart (2:06), Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Sarah Gorman.

### CEREMONIAL ITEMS

1. **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 December 31, 2016.

Documents:

December 6, 2016, report from the City Administrative Services Director.

Speakers:

Staff: City Administrator Paul Casey, Award Recipients Jason Bryan, Mark Howard, and Phil Walker.

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

5 Years

Nathan Beltran, Police Officer, Police Department

Thalia Chaltas, Administrative Specialist, Police Department

Lori Weiss, Wastewater Maintenance Planner/Scheduler, Public Works Department

10 Years

Amanda Flesse, Supervising Engineer, Public Works Department

Chris Olvera, Water Distribution Operator II, Public Works Department

15 Years

Cynthia Collinge, Administrative Supervisor, Public Works Department

Michael Mudgett, Firefighter, Fire Department

20 Years

Dorine Villalpando, Payroll Supervisor, Finance Department

25 Years

Jason Bryan, Senior Recreation Supervisor, Parks and Recreation Department

35 Years

Phil Walker, Wastewater Treatment Plant Operator III, Public Works

**2. Subject: Proclamation Recognizing Rob Pearson's Retirement (120.04)**

Action: Proclamation presented to Rob Pearson.

**PUBLIC COMMENT**

Speakers: Cassandra Ensberg; John "Jake" Clinton; Phil Walker; Kenneth Loch; Lindsay; Kira Redmond.

**ITEM REMOVED FROM CONSENT CALENDAR**

**13. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmark Commission's Review Approval For 129 East Anapamu Street (640.07)**

Recommendation: That Council:

- A. Set the date of December 13, 2016, at 2:00 p.m. for hearing the appeal filed by John and Anna Campbell of the Historic Landmarks Commission's Review After Final conditional approval of a new wheelchair lift involving an application for property owned by 129 Anapamu, LLC and located at 129 East Anapamu Street, Assessor's Parcel No.: 029-121-013, C-2 Zone, Application No. MST2015-00233. The project proposes approval of tenant improvements to commercial property including demolition of an existing

450 square foot deck to be replaced with a new 320 square foot raised deck, new wooden trellis, side exit door, new windows, new wheelchair lift, new trash enclosure and minor landscaping alterations.

- B. Set the date of December 12, 2016, at 1:30 p.m. for a site visit to the property located at 129 Anapamu Street.

**Documents:**

December 6, 2016, notice from Administrative Services Department.

**Speakers:**

- Staff: City Attorney Ariel Calonne, Community Development Director George Buell
- Members of the Public: Anna Campbell, Marc Chytilo

**Motion:**

Councilmembers Dominguez/Murillo to set the date of the appeal for January 10, 2017.

**Vote:**

Majority roll call vote (Noes: Councilmember Hart, Mayor Schneider).

**CONSENT CALENDAR (Item Nos. 3 – 12, 14 - 15)**

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

**Motion:**

Councilmembers Murillo/Hotchkiss to approve the Consent Calendar as recommended.

**Vote:**

Unanimous roll call vote.

**3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of November 15, 2016.

**4. Subject: Introduction Of Ordinance For Agreement To Use Recycled Water For Irrigation At The Cancer Foundation Of Santa Barbara (540.13)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Agreement Between the City of Santa Barbara and the Cancer Foundation of Santa Barbara, for Purchase, Use, and Delivery of the City's Recycled Water.

Action: Approved the recommendation (December 6, 2016, report from the Public Works Director; proposed ordinance).

**5. Subject: Resolution To Adopt A Vision Zero Policy To Reduce Fatal And Severe Transportation-Related Collisions To Zero By 2030 (670.01)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting a Vision Zero Policy to Reduce Fatal and Severe Transportation Related Collisions to Zero by 2030.

Speakers:

Members of the Public: Eve Sanford, representing SB Bike; Bonnie Raisin.

Action: Approved the recommendation; Resolution No. 16-170 (December 6, 2016, report from the Public Works Director).

**6. Subject: Market Salary Adjustments For General, Confidential, And Treatment And Patrol Classifications (520.04)**

Recommendation: That Council:

- A. Ratify the agreement with Santa Barbara City Employees' Association, S.E.I.U. Local 620 (General Bargaining Unit) to resolve ongoing negotiations related to the compensation survey reopener in the 2013-2016 Memorandum of Understanding and adopt, by reading of title only, A Resolution of the Council of the City Of Santa Barbara Amending Resolution No. 16-045, the Position and Salary Control Resolution for Fiscal Year 2017, Affecting Salaries for Certain Classifications in the General and Confidential Bargaining Units Effective October 3, 2015; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City Of Santa Barbara Amending Resolution No. 16-045, the Position and Salary Control Resolution for Fiscal Year 2017, Affecting Salaries for Certain Classifications in the Treatment and Patrol Bargaining Units Effective December 10, 2016.

6. (Cont'd.)

Action: Approved the recommendations; Agreement No. 25,745; Resolutions No. 16-171 and 16-172 (December 6, 2016, report from the Administrative Services Department; proposed resolutions).

7. **Subject: Request For Designation Of 35 Anacapa Street (Museum of Contemporary Art) As A Community Benefit Project (640.09)**

Recommendation: That Council designate the proposed development for the Museum of Contemporary Art Santa Barbara at 35 Anacapa Street as a Community Benefit Project pursuant to Santa Barbara Municipal Code section 28.85.020.A.1 and reserve 3,007 square feet of nonresidential floor area to the project from the Community Benefit Project category.

Speakers:

Members of the Public: Greg Gorga; Andrea Medina-Ramirez, Just Communities

Action: Approved the recommendation (December 6, 2016, report from the Community Development Department).

8. **Subject: Cancellation of License Agreement No. 13,106 / Marine Mammal Center Barge (570.03)**

Recommendation: That Council cancel License Agreement No. 13,106, dated September 24, 1985, between the City of Santa Barbara and Peter Howorth, doing business as the Marine Mammal Center.

Speaker:

Member of the Public: Peter Howorth, SB Marine Mammal Center

Action: Approved the recommendation (December 6, 2016, report from the Waterfront Department).

9. **Subject: Approval Of Emergency Purchase Order For Asphalt Repairs Resulting From Water Main Break On Milpas Street (530.04)**

Recommendation: That Council approve an emergency Purchase Order for \$42,495.50 to Lash Construction for asphalt repairs resulting from a water main break.

Action: Approved the recommendation (December 6, 2016, report from the Public Works Department).

**10. Subject: Increase In Construction Change Order Authority For The Braemar Wastewater Lift Station Valve Replacement Project (540.01)**

Recommendation: That Council authorize an increase in the General Services Manager's Change Order Authority to approve expenditures for extra work for Braemar Wastewater Lift Station Valve Replacement Project, Purchase Order No. 31602036, in the amount of \$35,402, for a total contract expenditure authority of \$167,402.

Action: Approved the recommendation (December 6, 2016, report from the Public Works Department).

**11. Subject: Contract For Design Of The De La Vina Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$812,242 for design services for the De La Vina Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$81,224 for extra services of Bengal Engineering Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation, Agreement No. 25,746 (December 6, 2016, report from the Community Development Department).

**12. Subject: Contract For Construction Of Lower State Street Railroad Crossing Safety Improvements Project (530.04)**

Recommendation: That Council:

- A. Award a contract with John Madonna Construction Company, Inc., in their low bid amount of \$616,339 for construction of the Lower State Street Railroad Crossing Safety Improvements Project, Bid No. 3791; and authorize the Public Works Director to execute the contract and approve expenditures up to \$75,661 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; and
- B. Authorize the increase in appropriations and estimated revenues in the Fiscal Year 2017 Streets Grant Fund by \$315,000 from the Caltrans Railway-Highways Crossing (Section 130) Program grant for construction.

Action: Approved the recommendations, Agreement No. 25,747 (December 6, 2016, report from the Public Works Department).

## NOTICES

14. The City Clerk has on Thursday, December 1, 2016, 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.
15. A City Council site visit is scheduled for Monday, December 12, 2016, at 1:30 p.m. to the property located at 129 E. Anapamu Street; 129 E. Anapamu Street is the subject of an appeal hearing set for December 13, 2016 at 2:00 p.m.

This concluded the Consent Calendar.

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

### FINANCE DEPARTMENT

16. **Subject: Materials Delivery Commitment And Processing Services Agreement With The County Of Santa Barbara And The City Of Santa Barbara For The Tajiguas Resource Recovery Project (630.06)**

Recommendation: That Council:

- A. Consider the Final Subsequent Environmental Impact Report for the Tajiguas Resource Recovery Project and make the required CEQA findings for approval of the Tajiguas Resource Recovery Project Materials Delivery Commitment and Processing Services Agreement as specified in the Attachment; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the City Administrator, or his or her designee, of the Tajiguas Resource Recovery Project Materials Delivery Commitment and Processing Services Agreement between the County of Santa Barbara and the City of Santa Barbara.

Documents:

- December 6, 2016, report from the Finance Department.
- Proposed ordinance.
- PowerPoint presentation prepared and made by staff.
- December 3, 2016, letter from Marc Chytilo.
- December 6, 2016, letter from Carol Ashley.
- December 6, 2016 email from David Hodges.

Speakers:

- Staff: Senior Assistant to the City Manager Matt Fore; Finance Director Robert Samario, Assistant City Attorney Scott Vincent.
- County of Santa Barbara Staff: Environmental Planner Jodi Leipner.
- Members of the Public: Carol Ashley, Demo 2 Design; Marc Chylito, Gaviota Coast Conservancy; John Dewey, MSB Investments, LLC.
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**Motion:**

- Councilmembers Hotchkiss/Rowse to approve the recommended action.

**Vote:**

Majority roll call vote (Noes: Councilmembers Dominguez, White; Mayor Schneider).

**RECESS**

4:22 p.m. - 4:30 p.m.

**PUBLIC WORKS DEPARTMENT**

**17. Subject: Amended Stage Three Drought Declaration Restricting The Watering Of Turfgrass To Achieve 40% Water Conservation (540.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Revised Water Use Reduction Target and Updated Water Use Regulations Effective During a Stage Three Emergency, and Repealing Resolution Nos. 14-009, 14-027, 15-036, and 16-023.

**Documents:**

- December 6, 2016, report from the Public Works Department.
- Proposed resolution.
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by Art Ludwig.

**Speakers:**

- Staff: Water Resources Manager Joshua Haggmark, City Administrator Paul Casey.
- Members of the Public: Art Ludwig

**Motion:**

- Councilmembers White/Murillo to approve the recommended action; Resolution No. 16-173.

**Vote:**

Unanimous roll call vote.

**18. Subject: Update On Renewable Energy Options For Desalination (630.06)**

Recommendation: That Council hear a presentation from staff regarding renewable energy options for offsetting greenhouse gas emissions produced by the operation of the City of Santa Barbara's Charles Meyer Desalination Plant.

Documents:

- December 6, 2016, report from the Public Works Department.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Facility and Energy Manager James Dewey, Water Resources Manager Joshua Haggmark.
- Members of the Public: Art Ludwig; Jefferson Litten, Community Environmental Council.

Council heard the report and their questions were answered.

## MAYOR AND COUNCIL REPORTS

### 19. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

Documents:

- December 6, 2016, report from the Administrative Services Department.

Access Advisory Committee:

Motion:

Councilmember Murillo nominated Nick Koonce and Karen Johnson for the disability category.

Councilmember Hotchkiss nominated Barbara Silver.

Councilmembers Rowse/Hotchkiss to appoint Nick Koonce, Karen Johnson and Barbara Silver.

Vote:

Unanimous voice vote.

Appointment:

Nick Koonce and Karen Johnson were appointed as representatives of the Disability Community for terms expiring December 31, 2019.

Barbara Silver was appointed as a representative of the Public At Large for a term expiring December 31, 2019.

Airport Commission:

Councilmember Hotchkiss nominated Karen Kahn and Craig Arcuri.

Motion:

Councilmembers Murillo/Hotchkiss to appoint Karen Kahn and Craig Arcuri.

Vote:

Unanimous voice vote.

Appointment:

Karen Kahn and Craig Arcuri were re-appointed for terms expiring December 31, 2010.

Architectural Board of Review:

Mayor Pro Tem White nominated Wm. Howard Wittausch.

Councilmember Hotchkiss nominated David R. Watkins.

Motion:

Councilmembers Dominguez/Hotchkiss to appoint Wm. Howard Wittausch and David R. Watkins.

Vote:

Unanimous voice vote.

Appointment:

Wm. Howard Wittausch was re-appointed for a term expiring December 31, 2020. David R. Watkins was appointed for a term expiring December 31, 2020.

Building and Fire Code Board of Appeals:

Mayor Pro Tem White nominated Tariq R. Katri.

Councilmember Rowse nominated Paul Spieler.

Councilmember Murillo nominated Nick Koonce.

Motion:

Councilmembers Murillo/Rowse to appoint Tariq R. Katri, Paul Spieler, and Nick Koonce.

Vote:

Unanimous voice vote.

Appointment:

Tariq R. Katri, Paul Spieler, and Nick Koonce were appointed as for open terms.

Civil Service Commission:

Councilmember Rowse nominated Desmond O'Neil.

Motion:

Councilmembers Rowse/Murillo to appoint Desmond O'Neil.

Vote:

Unanimous voice vote.

Appointment:

Desmond O'Neil was appointed for a term expiring December 31, 2020.

Community Development and Human Services Committee:

Mayor Schneider nominated Antonia (Tonie) Hood as Housing Authority representative and Ashley Salvador as Disabled Community representative.

Motion:

Mayor Schneider/Councilmember Murillo to appoint Antonia (Tonie) Hood as Housing Authority representative and Ashley Salvador as Disabled Community representative.

Vote:

Unanimous voice vote.

Appointment:

Antonia (Tonie) Hood was appointed as Housing Authority representative for a term expiring December 31, 2020. Ashley Salvador was appointed as Disabled Community representative for a term expiring December 31, 2020.

Councilmember Murrillo nominated Joanna Romo as Latino Community representative.

Motion:

Councilmember Murillo/White to appoint Joanna Romo as Latino Community representative.

Vote:

Unanimous voice vote.

Appointment:

Joanna Romo was appointed as Latino Community representative for a term expiring December 31, 2018.

Mayor Pro Tem nominated Ken Gates as Youth Oriented Services representative.

**Motion:**

Councilmember Hotchkiss/White to appoint Ken Gates as Youth Oriented Services Representative.

**Vote:**

Unanimous voice vote.

**Appointment:**

Ken Gates was appointed as Youth Oriented Services representative for a term expiring December 31, 2019.

Mayor Pro Tem White nominated Charles W. Flacks as Downtown Neighborhood representative.

**Motion:**

Councilmembers White to appoint Charles W. Flacks as Downtown Neighborhood representative.

**Vote:**

Unanimous voice vote.

**Appointment:**

Charles W. Flacks was appointed as Downtown Neighborhood representative for a term expiring December 31, 2020.

Creeks Advisory Committee:

Councilmember Hotchkiss nominated Paul Bullock as Representative of the Hotel/Lodging Industry.

**Motion:**

Councilmembers Hotchkiss/White to re-appoint Paul Bullock as Representative of the Hotel/Lodging Industry.

**Vote:**

Unanimous Voice vote.

**Appointment:**

Paul Bullock was re-appointed as Representative of the Hotel/Lodging Industry for a term ending December 31, 2019.

Resident of the City or County of Santa Barbara representative nominees:  
Katie Klein, Kristie A. Klose, Kathryn (Kathy) A. McGill, Jack Reed, Shirin Tolle, Whitney Wilkinson.

Mayor Pro Tem White nominated Kristie A. Klose as Resident of the City or County of Santa Barbara representative.

Councilmember Murillo nominated Katie Klein as Resident of the City or County of Santa Barbara representative.

Vote:

- For Klose: Councilmembers Hotchkiss, White, Rowse, Hart, Mayor Schneider
- For Klein: Councilmembers Dominguez, , Murillo

Appointment:

Kristie A. Klose was appointed as Resident of the City or County of Santa Barbara representative for a term expiring December 31, 2019.

Downtown Parking Committee:

Councilmember Dominguez nominated Matt LaBrie as Resident of the City representative.

Councilmember Rowse nominated Robert Janeway as Resident of the City representative.

Councilmember Hotchkiss nominated Kate Schwab as Resident of the City representative.

Vote:

Unanimous voice vote by acclamation.

Appointment:

Matt LaBrie, Robert Janeway, and Kate Schwab were appointed as Resident of the City representatives representative for terms expiring December 31, 2019.

Fire and Police Pension Commission:

Councilmember Murrillo nominated Gabe Dominocielo and Raphael Vazquez as Qualified Electors.

Vote:

Unanimous voice vote by acclamation.

Appointment:

Gabe Dominocielo was re-appointed as a Qualified Elector representative for a term expiring December 31, 2020. Raphael Vazquez was appointed as a Qualified Elector Representative for a term expiring December 31, 2018.

Harbor Commission:

Councilmember Rowse nominated William Spicer for re-appointment.

Vote:

Unanimous voice vote by acclamation.

Appointment:

William Spicer was re-appointed for a term expiring December 31, 2010.

County of Santa Barbara Library Advisory Committee, City of Santa Barbara Representative:

Mayor Pro Tem White nominated Susette H.H.C. Naylor for re-appointment.

Vote:

Unanimous voice vote by acclamation.

Appointment:

Susette H.H.C. Naylor was appointed for a term expiring December 31, 2020.

Neighborhood Advisory Council:

Councilmember Hotchkiss nominated Sally Foxen for re-appointment.

Councilmember Murillo suggested that Ms. Foxen be appointed as the Lower Westside Neighborhood representative.

Councilmember Murillo nominated Eve Lois Sanford and Hector Sanchez as the Public at Large representatives and May O'Mahoney as the West Downtown Representative.

Vote:

Unanimous voice vote by acclamation.

Appointment:

Sally Foxen was re-appointed as Lower Westside Neighborhood representative for a term expiring December 31, 2020. Eve Lois Sanford was appointed as a Public at Large. Hector Sanchez was appointed as a Public at Large representative. May O'Mahoney was appointed as a West Downtown representative for a term expiring December 31, 2020.

Parks and Recreation Commission:

Councilmember Hotchkiss nominated Nichol Clark and Andria Martinez-Cohen for re-appointment.

Councilmember Rowse nominated Tara Armbruster.

Councilmember Murillo nominated Desmond O'Neil for re-appointment.

Vote:

- For Armbruster: Councilmembers White, Hart, Mayor Schneider
- For Clark: Councilmembers Dominguez, Hotchkiss, White, Rowse, Hart, Murillo, Mayor Schneider
- For Martinez Cohen: Councilmembers Dominguez, Hotchkiss, White, Hart, Rowse, Murillo, Mayor Schneider
- For O'Neil: Councilmembers Hotchkiss, Rowse, Murillo

Appointment:

Nichol Clark was re-appointed for a term ending December 31, 2020. Andria Martinez-Cohen was re-appointed for a term ending December 31, 2020.

Vote:

- For Armbruster: Hotchkiss, White, Rowse, Hart, Mayor Schneider
- For O'Neil: Murillo, Dominguez

Appointment:

Tara Armbruster was appointed for a term ending December 31, 2018.

Planning Commission:

Councilmember Hotchkiss nominated Sheila Lodge for re-appointment and Lesley Wiscomb for appointment.

Councilmember Murillo nominated June Pujo for re-appointment.

Vote:

- For Lodge: Councilmembers Murillo, Hart, Rowse, White, Hotchkiss, Dominguez, Mayor Schneider.
- For Pujo: Councilmembers Murillo, Hart.
- For Wiscomb: Councilmembers Rowse, White, Hotchkiss, Dominguez, Mayor Schneider.

Appointment:

Sheila Lodge was re-appointed for a term expiring December 31, 2020.  
Lesley Wiscomb was appointed for a term expiring December 31, 2020.

Rental Housing Mediation Board:

Mayor Pro Tem White nominated Hector Sanchez, Richard Axilrod, Dan Collie and Justin Dullum.

Vote:  
Unanimous voice vote by acclamation.

Appointment:  
Hector Sanchez was appointed as Tenant – City or County representative for a term expiring December 31, 2020. Richard Axilrod was re-appointed as Landlord – City or County representative for a term expiring December 31, 2019. Dan Collie was appointed as Homeowner – City or County representative for a term expiring December 31, 2020. Justin Dullum was re-appointed as Homeowner – City or County representative for a term expiring December 31, 2020.

Santa Barbara Youth Council:

Mayor Schneider nominated Michelle Qin.

Vote:  
Unanimous voice vote by acclamation.

Appointment:  
Michelle Qin was appointed as Dos Pueblos High School representative for a term expiring June 30, 2018.

Sister Cities Committee:

Councilmember Hotchkiss nominated Raphael Vazquez.

Mayor Pro Tem White nominated Margaret Saavedra.

Vote:  
Unanimous voice vote by acclamation.

Appointment:  
Raphael Vazquez and Margaret Saavedra were appointed for terms expiring December 31, 2020.

Transportation and Circulation Committee:

Mayor Schneider nominated David Hodges.

Vote:  
Unanimous voice vote by acclamation.

Appointment:

David Hodges was appointed as for a term expiring December 31, 2020.

Water Commission:

Councilmember Hotchkiss nominated Monty Cole for appointment and Dave Davis for re-appointment.  
Mayor Pro Tem White nominated Dave Davis and Michael Kielborn for re-appointment.

Vote:

- For Cole: Councilmembers Hotchkiss.
- For Davis: Councilmembers Dominguez, Hotchkiss, White, Rowse, Hart, Murillo, Mayor Schneider.
- For Kielborn: Councilmembers Dominguez, White, Rowse, Hart, Murillo, Mayor Schneider.

Appointment:

Dave Davis was appointed as for a term expiring December 31, 2019.  
Michael Kielborn was appointed as for a term expiring December 31, 2019.

**RECESS**

6:00 p.m. – 6:06 p.m.

**QUASI-JUDICIAL HEARING RULES APPLY TO THIS ITEM**

**PUBLIC HEARINGS**

**20. Subject: Appeal Of Planning Commission Denial Of A Coastal Development Permit For 1925 El Camino De La Luz Residence Project (640.07)**

Recommendation: That Council:

- A. Consider the Final Mitigated Negative Declaration and Addendum for the project at 1925 El Camino De La Luz and make the CEQA findings specified in this Council Agenda Report; and
- B. Take one of the following three actions to resolve the appeal of the Planning Commission's denial of a Coastal Development Permit for a residential project at 1925 El Camino De La Luz:
  1. Deny the appeal of the applicant, Emprise Trust, and uphold the Planning Commission's denial of the project; or
  2. Uphold the applicant's appeal, and approve the project (consistent with the City's certified Local Coastal Plan), including adoption of the Final Mitigated Negative Declaration and Addendum; or
  3. Uphold the applicant's appeal, and approve the project under Coastal Act Section 30010 provisions for avoiding a taking, including

- adoption of the Final Mitigated Negative Declaration and Addendum;  
and
- C. Direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- December 6, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- December 2, 2016, letter from Richard Monk and Steven Kaufmann.
- December 5, 2016, letter from Citizens to Protect and Preserve the Mesa's Coastal Bluffs.
- December 5, 2016, letter from Scott Wiscomb.
- December 5, 2016, letter from Edward Keller.
- Photograph from Scott Wiscomb submitted at the Council meeting.
- Binder submitted by Tom Morrison, labeled "Top Bluff Documents".
- Packet submitted by Tom Morrison, labeled "1925 El Camino de la Luz Potentially Dangerous Proposal".

Public Comment Opened:  
6:08 p.m.

Speakers:

- Staff: Associate Planner Kathleen Kennedy; City Attorney Calonne; Assistant City Attorney Scott Vincent; Project Planner Barbara Shelton
- Planning Commission Members: Addison Thompson.
- Applicant/Appellant: Clay Aurell, AB Design Studio, Steven Kaufmann, Council for Applicant, Patrick Shires, Geotechnical Engineer for the Applicant; Thomas Felkay, Applicant
- Members of the Public: Nancy Brock; Tom Morrison, Scott Wiscomb; Bruce Petersen; Robert Stenson; Lenna Harris; Janice Hartoch Taylor; Mary Walters; Gabriel Lockwood; John Broberg.

Public Comment Closed:  
7:54 p.m.

Motion:

Councilmembers Hart/Rowse to continue the item to a later date with direction to staff and a request of the applicant to provide more detail as to the issues identified, including reasonableness of investment backed expectation and a safety analysis.

Vote:

Unanimous voice vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

No reports were provided.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 8:29 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



ATTEST:

HELENE SCHNEIDER  
MAYOR

SARAH GORMAN  
CITY CLERK SERVICES MANAGER

*Cathy Murillo for Helene Schneider*

