



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
June 10, 2008
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Redevelopment Agency to order at 2:01 p.m. (The Finance Committee met at 12:30 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, 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, City Clerk Services Manager Cynthia M. Rodriguez.

PUBLIC COMMENT

Speakers: Sheila Lodge; John Mullen; Terry Tyler, Eucalyptus Hill Improvement Association; Leoncio Martins; Bret Alan Hughes; Kenneth Loch; John D. Smith; Mr. Pennington; David Wass; Andrea Roselinsky; Floyd Meyer.

ITEM REMOVED FROM CONSENT CALENDAR

3. Subject: Adoption Of Ordinance For Rezoning Of 319 North Milpas Street (640.09)

Recommendation: That Council 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 Rezoning of Property at 319 North Milpas Street.

3. (Cont'd)

The title of the ordinance was read.

Motion:

Councilmembers House/Horton to approve the recommendation;
Ordinance No. 5454.

Vote:

Majority roll call vote (Noes: Councilmembers Schneider, Williams).

CONSENT CALENDAR (Item Nos. 1, 2 and 4 - 12)

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

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of May 27, 2008 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

2. 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 June 10, 2008, and Rescinding Resolution No. 05-073, to reflect a new regular meeting time and location for Finance Committee meetings.

Action: Approved the recommendation; Resolution No. 08-045 (June 10, 2008, report from the Administrative Services Director; proposed resolution).

4. Subject: Introduction Of Ordinance For Mooring Lease Agreement With Voyage Partners, LLC (330.04)

Recommendation: That Council approve a lease with Voyage Partners, LLC, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease, with One Five-Year Option, Effective July 17, 2008, for the 2,520 Square-Foot Berth Area Located at Marina 4-B, at an Initial Monthly Rent of \$1,666.66 per Month.

Action: Approved the recommendation (June 10, 2008, report from the Waterfront Director; proposed ordinance).

5. Subject: Renewal Of Wharf Woody Electric Shuttle Agreement (670.08)

Recommendation: That Council authorize the Waterfront Director to execute an agreement with the Santa Barbara Metropolitan Transit District (MTD) for the Wharf Woody Shuttle service for Fiscal Year 2009, in an amount not to exceed \$30,506.

Action: Approved the recommendation; Agreement No. 22,831 (June 10, 2008, report from the Waterfront Director).

6. Subject: Acceptance Of Federal Aviation Administration Airport Improvement Program Grant Offers For Santa Barbara Airport (560.04)

Recommendation: That Council:

- A. Accept and authorize the Airport Director to execute, on behalf of the City, FAA Grant Offer of \$5,452,000 in Airport Improvement Program (AIP) funds for Project No. AIP-3-06-0235-37 for the final mitigation project for the runway safety area project; and
- B. Accept and authorize the Airport Director to execute, on behalf of the City, FAA Grant Offer of \$7,603,000 in AIP funds for Project No. AIP-3-06-0235-38 for Taxiway B south widening and realignment, and Airline Terminal ramp reconstruction.

Action: Approved the recommendations; Agreement Nos. 22,832 and 22,833 (June 10, 2008, report from the Airport Director).

7. Subject: Sole Source Vendor For T-Hangar Relocation (560.04)

Recommendation: That Council approve Pacific West Steel, Inc., as the sole source vendor to relocate up to 19 Port-A-Port T-Hangars at the Airport.

Action: Approved the recommendation (June 10, 2008, report from the Airport Director).

8. Subject: Cachuma Conservation Release Board Budget Ratification (540.03)

Recommendation: That Council ratify the Fiscal Year 2009 Cachuma Conservation Release Board Budget in the amount of \$2,287,511, with a City share of \$628,212.

Action: Approved the recommendation (June 10, 2008, report from the Acting Public Works Director).

9. Subject: Feasibility Study For Out-Of-City Sewer Extensions (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute an agreement with the County of Santa Barbara in the amount of \$58,850, providing County funding for the preparation of a preliminary Engineering and Feasibility Study for sewer main extensions to serve four out-of-City areas at the West end of the City;
- B. Increase the Fiscal Year 2008 Wastewater Operating Fund estimated revenues by \$58,850, based on Santa Barbara County approval of funding for the above-mentioned study, and appropriate the same to the Fiscal Year 2008 Wastewater Fund operating budget; and
- C. Authorize the General Services Manager to issue a purchase order to Penfield and Smith in the amount of \$53,500 for preparation of the above-mentioned study, and approve extra services up to a maximum of \$5,350, for a total spending authorization of \$58,850.

Action: Approved the recommendations; Agreement No. 22,834 (June 10, 2008, report from the Acting Public Works Director).

10. Subject: Boysef Multipurpose Pathway - Appropriation Of Federal Funds (670.08)

Recommendation: That Council increase estimated street revenue by \$86,000 and appropriate the same to the Streets Capital program for the Preliminary Engineering Phase of the Jake Boysef Multipurpose Pathway project.

Action: Approved the recommendation (June 10, 2008, report from the Acting Public Works Director).

NOTICES

11. The City Clerk has on Thursday, June 5, 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.

12. City Advisory Group Recruitment:

- A. The City Clerk's Office will accept applications for vacancies on the Architectural Board of Review (ABR) through Tuesday, June 17, 2008, at 5:30 p.m.;
- B. The City Council will conduct interviews of applicants for vacancies on the ABR on Tuesday, June 24, 2008, at 4:00 p.m. (Estimated Time); and
- C. The City Council will make appointments to fill vacancies on the ABR on Tuesday, July 1, 2008.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to recommend a source of funding for the Upper State Street Dedicated Transit Lanes Feasibility Study. The Committee also heard a presentation on the insurance portfolio renewal for Fiscal Year 2009.

Item No. 13 appears in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Recreational Vehicle Safe Parking Program Update (660.04)

Recommendation: That Council receive an update from the New Beginnings Counseling Center regarding the operation of its Recreational Vehicle Safe Parking Program.

Documents:

June 10, 2008, report from the Acting Public Works Director.

Speakers:

- Staff: Transportation Manager Browning Allen.
- New Beginnings Counseling Center: Dr. Gary Linker.

By consensus, the Council heard the presentation.

PUBLIC HEARINGS

15. Subject: Appeal Of The Planning Commission Approval Of 565 Yankee Farm Road (640.07)

Recommendation: That the Council deny the appeal of Lori Rafferty, et. al., and uphold the Planning Commission approval of the Coastal Development Permit for the single family residence and associated development at 565 Yankee Farm Road.

Documents:

- June 10, 2008, report from the Acting Community Development Director.
- Affidavit of Publication.
- December 6, 2007, email communication from the Appellant.
- February 29, 2008, email communication from the Appellant.
- June 7, 2008, email communication from the Appellant.

(Cont'd)

15. (Cont'd)

Documents (Cont'd):

- June 9, 2008, email communications from the Appellant.
- June 9, 2008, letter from the Appellant.
- November 30, 2007, email communication from Patricia Foley, President, The Braemar Ranch Homeowners Association.
- December 3, 2007, email communication from Bill and Janis Spracher.
- December 5, 2007, email communication from Jean Schuyler.
- December 5, 2007, email communication from Walter Knapp.
- December 5, 2007, email communication from Jennifer Conrow.
- December 6, 2007, email communication from P.R. Weisman.
- February 27, 2008, email communication from Jean Schuyler.
- February 28, 2008, email communication from Jana Young.
- February 28, 2008, email communication from Patricia Foley, President, The Braemar Ranch Homeowners Association.
- February 29, 2008, letter from Benjamin Bollag.
- February 29, 2008, email communication from Kail Wathne.
- February 29, 2008, email communication from Taka Nomura.
- March 3, 2008, email communication from Timothy Leigh Rodgers, M.D.
- June 8, 2008, email communication from Timothy Leigh Rodgers, M.D.
- June 9, 2008, email communication from Cy and Laura Lyon.
- Written comments submitted by Patricia Foley, The Braemar Ranch Homeowners Association.

Public Comment Opened:

3:27 p.m.

Speakers:

- Staff: Associate Planner Peter Lawson, Senior Planner Jan Hubbell, City Attorney Stephen Wiley.
- Planning Commission: Commissioners Bruce Bartlett, Addison Thompson.
- Appellant: Lori Rafferty, Gil Barry.

RECESS

Mayor Blum recessed the appeal hearing (Agenda Item No. 15) at 4:18 p.m. in order to consider the following item:

MAYOR AND COUNCIL REPORTS

16. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 17, 2008, at 6:00 p.m.
(Estimated Time: 4:00 p.m.)

Documents:

June 10, 2008, report from the Administrative Services Director.

Speakers:

Applicants:

- Housing Authority Commission:
Geoff Green
- Single Family Design Board:
Glen Deisler

By consensus, the Council continued the interviews to Tuesday, June 17, 2008, at 6:00 p.m.

PUBLIC HEARINGS (CONT'D)

15. Subject: Appeal Of The Planning Commission Approval Of 565 Yankee Farm Road (Continued)

Speakers (Cont'd):

- Applicant: Susie Basham, Nils Hammerbeck.
- Members of the Public: Kitch Wilson, Ronald Green, Jana Young, Bob Niehaus.

Public Comment Closed:

6:13 p.m.

Motion:

Councilmember Falcone to uphold the appeal.

The motion died for lack of a second.

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers House/Horton to deny the appeal and refer the project to the Architectural Board of Review to work with the Applicant to comply with the following direction:

1. Reduce the size of the structure to 85% or less of the Floor Area Ratio;
2. Reduce the height of the tower element; and
3. Strengthen the language of the conditions of approval related to drainage, both during the construction phase of the project and operationally thereafter.

Vote:

Unanimous voice vote.

RECESS

Mayor Blum recessed the meeting at 6:35 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 17 and 18, and stated that no reportable action is anticipated.

CLOSED SESSIONS

17. 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 Citizens Planning Association, et al., v. Veronica Meadows/Mark Lee, SBSC Case Number 1243174.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

June 10, 2008, report from the City Attorney.

Time:

6:36 p.m. - 7:08 p.m.

No report made.

18. Subject: Possible Disposition Of City Property At 319 West Haley Street (330.03)

Recommendation: That Council hold a closed session to receive information and provide direction to City Administration staff and the City Attorney regarding real property disposition for the City property commonly known as 319 West Haley Street. Property: 319 West Haley Street (APN 037-192-012). City Negotiators: Public Works Director; Browning Allen, Transportation Manager; Homer Smith, Principal Engineer; Don Irelan, Senior Real Property Agent; and Stephen P. Wiley, City Attorney, on behalf of the City of Santa Barbara, pursuant to the authority of Government Code Section 54956.8. Negotiating Party: Work Training Programs, Inc., who holds right of first refusal. Under Negotiation: Price and terms of payment.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 10, 2008, report from the Acting Public Works Director.

Time:

7:09 p.m. - 7:35 p.m.

No report made.

RECESS

7:35 p.m. - 7:36 p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Francisco, Horton, House, Schneider, Mayor Blum.

Councilmembers absent: Williams.

Staff present: City Administrator Armstrong, City Attorney Wiley, City Clerk Services Manager Rodriguez.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**FINANCE DEPARTMENT**

19. Subject: Recommended Operating And Capital Budget For Fiscal Year 2009 (230.05)

Recommendation: That Council:

- A. Continue and close the public hearing on the City Administrator's Recommended Operating and Capital Budget for Fiscal Year 2009;
- B. Receive the Finance Committee's recommendations based on its review of the Fiscal Year 2009 recommended budget; and
- C. Provide final direction to staff on the Fiscal Year 2009 recommended budget.

Documents:

- June 10, 2008, report from the Finance Director.
- Affidavit of Publication.

Public Comment Opened (Continued from May 14, 2008):
7:37 p.m.

Speakers:

Staff: Finance Director Robert Peirson, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.

Councilmember Williams entered the meeting at 7:42 p.m.

Public Comment Closed:
8:03 p.m.

Motion:

Councilmembers House/Horton to approve the recommendations.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:07 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



MARTY BLUM
MAYOR

ATTEST: 

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER