



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 8, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:02 p.m. (The Finance Committee met at 11:00 a.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: Brian B. Barnwell, Iya G. Falcone, 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: Letter Of Recommendation Recognizing 125 Continuous Years Of Service By The City Of Santa Barbara Fire Department (120.04)

Action: Proclamation presented to Fire Chief Ron Prince and Firefighters Association President Pat McElroy.

PUBLIC COMMENT

Speakers: Kenneth Loch, Norman Salzman, Patricia Hiles, David Bang.

CONSENT CALENDAR (Item Nos. 2 – 5 and 7 – 13)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 24, 2007.

Action: Approved the recommendation.

3. Subject: Adoption Of Neighborhood Preservation Ordinance Update (640.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Titles 22 and 28 of the Santa Barbara Municipal Code Relating to Design Review of Proposed Land Development and Establishing a Maximum Net Square Footage Standard (Floor to Lot Area Ratios) for Single Family Homes.

Action: Approved the recommendation; Ordinance No. 5416.

4. Subject: Three-Year License Agreement With Santa Barbara Water Taxi, LLC (330.08)

Recommendation: That Council approve a three-year license agreement with Santa Barbara Water Taxi, LLC, for a water taxi service, shoreboat service, and limited charter service operating from Santa Barbara Harbor.

Action: Approved the recommendation; Agreement No. 22,417 (May 8, 2007, report from the Waterfront Director).

5. Subject: Purchase Order For Work, Incorporated (570.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.080 (k), and authorize the General Services Manager to issue a purchase order to Work, Incorporated, for janitorial services at the Waterfront Department for Fiscal Year 2008 in an amount not to exceed \$232,000.

Action: Approved the recommendation (May 8, 2007, report from the Waterfront Director).

7. Subject: Contract For Construction For The Sidewalk Infill Project, Bid No. 3467 (530.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with General Pavement Management (GPM) in their low bid amount of \$432,720, for construction of the Sidewalk Infill Project, Bid No. 3467; and
- B. Authorize the Public Works Director to approve expenditures up to \$52,000 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.

Action: Approved the recommendations; Contract No. 22,419 (May 8, 2007, report from the Public Works Director).

8. Subject: Local Coastal Program Amendment for Staff Hearing Officer Process and Exclusion/Exemption Categories in the Coastal Zone (650.04)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Deleting Section 28.45.009 of the Santa Barbara Municipal Code in its Entirety and Adopting a New Chapter 28.44 of Title 28 of the Santa Barbara Municipal Code Amending the Provisions of the Coastal Overlay Zone; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Acknowledging Receipt of the California Coastal Commission's Resolution of Approval and Resolution of Certification; Accepting and Agreeing to Suggested Conditions and Modifications; Announcing Adoption of Amending Ordinance; and Agreeing to Issue Coastal Development Permits.

Action: Approved the recommendations; Resolution No. 07-029 (May 8, 2007, report from the Community Development Director; proposed ordinance; proposed resolution).

9. Subject: Notice Of Completion For The Milpas Street Beautification Project (530.04)

Recommendation: That Council accept the work completed by Granite Construction Company, Contract No. 22,142, for the Milpas Street Beautification Project, Bid No. 3411, located at Milpas Street, in the final contract amount of \$1,006,110.18, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (May 8, 2007, report from the Public Works Director).

10. Subject: Notice Of Completion For The Punta Gorda South Sidewalk And Lighting Project (530.04)

Recommendation: That Council accept the work completed by Lash Construction, Inc. (Lash), Contract No. 22,251, for the Punta Gorda South Sidewalk and Lighting Project, Bid No. 3483, located along Punta Gorda and Voluntario Streets, between Indio Muerto Street and Sycamore Creek Bridge, in the final contract amount of \$149,725.22, and approve filing of a Notice of Completion.

Action: Approved the recommendation (May 8, 2007, report from the Public Works Director).

11. Subject: Notice Of Completion For Area I Restoration At The Airport (560.04)

Recommendation: That Council accept the work completed by Nature's Image, Contract No. 21,795, for the Area I Restoration Project located at the Santa Barbara Airport (Bid No. 3447), in the final contract amount of \$2,047,474, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (May 8, 2007, report from the Public Works Director).

12. Subject: Subordinations For Refinancing Of Casa Esperanza Homeless Shelter At 816 Cacique Street (660.04)

Recommendation: That Council and the Redevelopment Agency Board:

- A. Approve the subordination of both the City and the Agency loans for Casa Esperanza, the homeless shelter located at 816 Cacique Street to a refinanced first trust deed loan; and
- B. Authorize the City Administrator and Executive Director to execute the subordination agreements and related documents in a form acceptable to the City Attorney and Agency Counsel.

Action: Approved the recommendations (May 8, 2007, report from the Community Development Director/Deputy Director).

NOTICES

13. The City Clerk has on Thursday, May 3, 2007, 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.

ITEM REMOVED FROM CONSENT CALENDAR

6. Subject: License Agreement With Santa Barbara Yacht Club For Breakwater Flags Display (330.08)

Recommendation: That Council approve a month-to-month license agreement with the Santa Barbara Yacht Club allowing the Club to install and maintain display flags on the Harbor Breakwater.

Documents:

May 8, 2007, report from the Waterfront Director.

Speakers:

Staff: Waterfront Business Manager Scott Riedman.

Motion:

Councilmembers Barnwell/Williams to approve the recommendation; Agreement No. 22,418.

Vote:

Unanimous voice vote (Abstention: Councilmember Falcone).

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the Golf Fund Capital Program, Parks and Recreation fees, and Park Ranger staffing in connection with the Financial Plan for Fiscal Years 2008 and 2009, which will be forwarded to the Council at a later date.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

14. Subject: Cottage Hospital Debt Issuance (700.09)

Recommendation: That Council:

- A. Hold a Public Hearing at the request of the California Statewide Communities Development Authority (CSCDA) on the issuance of debt by CSCDA on behalf of the Cottage Hospital; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Tax-Exempt Bond Financing to be Issued by the California Statewide Communities Development Authority to Benefit Santa Barbara Cottage Hospital and Affiliates.

Public Comment Opened:

2:20 p.m.

(Cont'd)

14. (Cont'd)

Documents:

- May 8, 2007, report from the Finance Director.
- Proposed Resolution.

Speakers:

- Staff: Finance Director Robert Peirson.
- California Statewide Communities Development Authority: Program Manager Mike LaPierre.

Public Comment Closed:

2:23 p.m.

Motion:

Councilmembers Schneider/Falcone to approve the recommendations; Resolution No. 07-030.

Vote:

Unanimous roll call vote.

PARKS AND RECREATION DEPARTMENT

15. Subject: Mission Creek Fish Passage Project - Caltrans Channel (530.03)

Recommendation: That Council:

- Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Accept Grant Funds and Execute a Grant Agreement for \$155,000 from the California Department of Fish and Game (CDFG) Fisheries Restoration Grant Program for the Mission Creek Fish Passage Project at the Caltrans Channel;
- Authorize the Parks and Recreation Director to accept grant funds in the amount of \$180,000 from the Environmental Defense Center (EDC) for the Mission Creek Fish Passage Project at the Caltrans Channel;
- Increase appropriations and estimated revenues by \$335,000 in the Creeks Division Capital Fund for the Mission Creek Fish Passage Project at the Caltrans Channel; and
- Authorize the Parks and Recreation Director to execute a professional services agreement with Northwest Hydraulic Consultants (NHC) in the amount of \$199,200 to test the performance of conceptual design plans using a flume model and prepare a feasibility report for fish passage project alternatives on Mission Creek at the Caltrans Channel.

Documents:

- May 8, 2007, report from the Parks and Recreation Director.
- Proposed Resolution.

(Cont'd)

15. (Cont'd)

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, Acting Creeks Supervisor George Johnson.
- Members of the Public: David Pritchett, South Coast Fish Passage Posse; Dave Davis, Community Environmental Council; Cameron Benson, Environmental Defense Center.

Motion:

Councilmembers Barnwell/Falcone to approve the recommendations; Resolution No. 07-031; Agreement Nos. 22,420 and 22,421.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

16. Subject: Request From Councilmembers Barnwell And Horton Regarding Regulations And Limits On The Height Of Buildings In El Pueblo Viejo District (640.06)

Recommendation: That Council consider a request from Councilmembers Barnwell and Horton regarding possible regulations and limits on the height of buildings in the El Pueblo Viejo District.

Documents:

- May 8, 2007, report from the Community Development Director.
- May 3, 2007, letter from Steve Cushman.
- May 7, 2007, letter from Hattie Beresford.
- May 7, 2007, letter from Brian Barnwell, Bill Mahan, Don Sharpe, and Bendy White.
- May 8, 2007, letter from the League of Women Voters.
- May 8, 2007, e-mail from James Kahan.
- May 8, 2007, e-mail from Patricia Hiles.
- May 8, 2007, e-mail from Gil Barry.
- May 8, 2007, e-mail from Michael Self.

Speakers:

- Staff: Community Development Director Paul Casey, City Attorney Stephen P. Wiley.

(Cont'd)

16. (Cont'd)

Speakers (Cont'd):

- Members of the Public: Pat Kistler, Santa Barbara Association of Realtors; Judy Orias, Allied Neighborhood Association; Hattie Beresford; Jerry Bunin, Home Builders Association; Paul Zink; Connie Hannah, League of Women Voters; Cathie McCammon; Patricia Hiles; Tom Bollay; Joe Andrulaitis; Brian Cearnal; Bill Lavoie for Louise Boucher; Dan George, Santa Barbara Contractors Association; Dianne Channing; Peter Hunt; Detlev Peikert; Gordon Brewer; Dave Davis, Community Environmental Council; Steve Forsell; Bill Mahan; April Wethe; Mickey Flacks; Chris Henson, Coastal Housing Coalition; Lanny Ebenstein; Jim Kahan, Grove Lane Association; Richard Moss, Allied Neighborhood Association and Upper East Association; Sheila Lodge; Jim Westby; Tony Fischer; Michael Self; Steve Yates; Alex Pujo; Addison Thompson; Gil Barry; Jay Higgins, American Planning Association; Steve Cushman, Chamber of Commerce; Bendy White.

Recess:

4:38 p.m. - 4:45 p.m.

Speakers (Cont'd):

- Planning Commission: Commissioner Bruce Bartlett.
- Architectural Board of Review: Member Gary Mosel.
- Members of the Public (Cont'd): David Landecker; Kevin Dumain; Greg Rech, American Institute of Architects; Kellem de Forest.

Motion:

Councilmembers Barnwell/Williams to direct staff to schedule a joint meeting of the Architectural Board of Review, Historic Landmarks Commission, Planning Commission, and City Council to discuss this issue further.

Vote:

Unanimous voice vote.

CHANGES TO THE AGENDA

Items Continued to Future Meeting

17. Subject: Citywide 9/80 Schedule (630.02)

Recommendation: That Council approve the implementation of a standard Citywide 9/80 work schedule by extending public service hours of many City offices, counters and operations and closing on alternating Fridays, effective on Monday, July 9, 2007.

18. 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 City of Santa Barbara v. County of Santa Barbara, et al., SBSC Case Number 1241801.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

RECESS

5:43 p.m. – 5:44 p.m.

Announcement:

City Administrator James L. Armstrong reported that the Council met in closed session for Item No. 19 and stated there was no reportable action taken.

CLOSED SESSIONS

19. 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. Pending litigation considered is: Lydia Uribe v. City of Santa Barbara, WCAB, case numbers GOL 87658; 87659; 87660; and 87661.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

May 8, 2007, report from the Finance Director.

Time:

5:45 p.m. - 6:06 p.m.

No report made.

RECESS

6:06 p.m. - 6:08 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Cole.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

20. Subject: Upper State Street Study (650.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Upper State Street Study Improvement Measures; Directing Staff to Return to Council with an Implementation Work Program; and Providing Interim Direction for the Review of Development Projects In the Upper State Street Area.

Documents:

- May 8, 2007, report from the Community Development Director.
- Proposed Resolution.
- May 7, 2007, letter from Sally Sphar.
- May 7, 2007, letter from Gil Barry.
- May 8, 2007, letter from the League of Women Voters.
- May 8, 2007, letter from Ed Fuller.

Speakers:

- Staff: City Planner Bettie Weiss, Project Planner Barbara Shelton, Principal Transportation Planner Rob Dayton.
- Planning Commission: Chair Charmaine Jacobs, Commissioner John Jostes, Commissioner Bendy White, Commissioner Bruce Bartlett.
- Park and Recreation Commission: Commissioner Ada Conner.
- Architectural Board of Review: Member Mark Wienke, Member Gary Mosel.
- Transportation and Circulation Committee: Member Keith Coffman-Grey.
- Creeks Advisory Committee: Member Mike Jordan.
- American Institute of Architects: Joe Andrulaitis.
- Members of the Public: Brian Cearnal; Paul Zink; Greg Parker, Investec; Brent Daniels, L & P Consultants; Ken Radtkey, Blackbird Architects; Chris Henson, Coastal Housing Coalition; David Burke, American Institute of Architects; Steven Amerikaner, Coastal Housing Coalition; Beverly King, League of Women Voters; Margaret Jose; Greg Rech, American Institute of Architects; Ed Fuller, Santa Barbara Association of Realtors; Judy Orias, Allied Neighborhood Association; Naomi Kovacs, Citizens Planning Association; Paul Hernadi, Citizens Planning Association; Catherine McCammon; Connie Hannah, Santa Barbara League of Women Voters; Alex Pujo; Steve Yates; Lee Moldaver; Gil Barry; Mickey Flacks; Richard Graham, Graham Chevrolet Cadillac Saab.

(Cont'd)

20. (Cont'd)

Motion:

Councilmembers Horton/Barnwell to approve the recommendation.

This motion was withdrawn.

Motion:

Councilmember House/Mayor Blum to add back into the Upper State Street Study Report recommendations requiring findings for modifications to approve modifications of setback requirements and to allow 3-story buildings.

Vote:

Unanimous voice vote.

Motion:

Councilmembers House/Barnwell to direct Staff to continue the current practice of permitting the consideration of underground parking square footage when determining the maximum 45-foot building height and 3-story allowances in the S-D-2 area.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Horton/Barnwell to approve the recommendation; Resolution No. 07-032.

Vote:

Unanimous roll call vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 10:25 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
LORI COLE
DEPUTY CITY CLERK