



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 21, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 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: 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 Susan Tschech.

### PUBLIC COMMENT

Speakers: Bob Hansen, David Homeless, and Mark Bradley.

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton commented on his attendance at the Housing Authority Family Self-Sufficiency Awards event and the most recent meeting of the First 5 Santa Barbara County Children & Families Commission, held in Lompoc.
- Councilmember Falcone briefed the Council on the various issues discussed at the recent meeting of the League of California Cities Board and said that a synopsis of legislative results of the November 7 election would be considered by the Council's Committee on Legislation in the near future. She also mentioned the farewell party held for outgoing County Supervisor Rose.

(Cont'd)

Information (Cont'd):

- Councilmember House remarked on the following meetings/events: 1) the Housing Authority Family Self-Sufficiency Awards event; 2) the Airport Commission meeting; and 3) the 100th birthday party held for Grover Barnes.
- Councilmember Williams reported on the following meetings/events: 1) the Sustainability class being conducted for City employees; 2) the Greater Santa Barbara Lodging Association meeting; 3) the "Father Boyle" event held at Casa de la Raza; 4) the California Coastal Commission meeting, during which it was reported that a compromise had been reached between UC Santa Barbara and the Environmental Defense Center regarding the University's proposed faculty housing project; and 5) the meeting of the Cachuma Operation & Maintenance Board.
- Councilmember Schneider mentioned a recent panel discussion regarding street medicine.
- Councilmember Barnwell made additional comments on the City's Sustainability class and extended his thanks to Dr. Broderick and County Supervisor Carbajal for their efforts to maintain the program at Hotel Riviera.
- Mayor Blum spoke about her attendance at the retirement party held for District Attorney Sneddon.

**CONSENT CALENDAR (Item Nos. 1 – 14)**

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

Motion:

Councilmembers Horton/Schneider 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 November 7, 2006.

Action: Approved the recommendation.

2. Subject: October 2006 Investment Report (260.02)

Recommendation: That Council accept the October 2006 Investment Report.

Action: Approved the recommendation (November 21, 2006, report from the Finance Director).

3. Subject: Acting City Administrator (170.01)

Recommendation: That Council approve the following persons to serve as Acting City Administrator during any temporary absence or disability of the City Administrator:

Joan Kent, Assistant City Administrator

John Bridley, Waterfront Director

Paul Casey, Community Development Director

Marcelo Lopez, Administrative Services Director

Tony Nisich, Public Works Director

Robert Peirson, Finance Director

Ron Prince, Fire Chief

Action: Approved the recommendation (November 21, 2006, report from the City Administrator).

4. Subject: Expansion Of Permit Parking Area L To Include Greenwell Lane (550.01)

Recommendation: That Council direct the Transportation Engineer to undertake a study and prepare a recommendation regarding the expansion of Permit Parking Area L to include Greenwell Lane.

Action: Approved the recommendation (November 21, 2006, report from the Public Works Director).

5. Subject: Approval Of Map And Execution Of Agreements For 1009 Del Sol Avenue (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,733 by Shawn K. Dirksen and Sheri Dirksen, husband and wife as joint tenants, for a subdivision located at 1009 Del Sol Avenue, Assessor's Parcel Number 045-074-001, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City); and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

Action: Approved the recommendations; Agreement No. 22,255 (November 21, 2006, report from the Public Works Director).

6. Subject: Approval Of Map And Execution Of Agreements For 324 And 326 North Alisos (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,724 by 324 Alisos, LLC, a California Limited Liability Company, for the subdivision located at 324-326 North Alisos Street, Assessor's Parcel Number 031-372-029, finding the Map in conformance with the General Plan for the City of Santa Barbara (City); and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

Action: Approved the recommendations; Agreement No. 22,256 (November 21, 2006, report from the Public Works Director).

7. Subject: Approval Of Administrative Guidelines And Resolution For Sewer Lateral Inspection Program (540.13)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing an Incentive Program for Sewer Lateral Inspection and Repair and Approving City Administrative Guidelines for Private Sewer Lateral Inspection Program and an incentive program to encourage inspection and repair of sewer laterals.

Action: Approved the recommendation; Resolution No. 06-095 (November 21, 2006, report from the Public Works Director; proposed resolution).

8. Subject: Contract For Final Design And Change Of Scope For The Haley/De La Vina Bridge Over Mission Creek (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Bengal Engineering, LP (Bengal), in the amount of \$499,150 for final engineering design and change of scope for the replacement of the Haley/De La Vina Bridge at Mission Creek; and
- B. Authorize the Public Works Director to approve expenditures up to \$49,915 for change order authority that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,257 (November 21, 2006, report from the Public Works Director).

9. Subject: Contract For Design Of Pavement Maintenance Zone B (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a professional services contract with Flowers and Associates, Inc. (Flowers), in the amount of \$59,660 for design services for the Pavement Maintenance for Zone B; and
- B. Authorize the Public Works Director to approve expenditures of up to \$6,000 for extra services of Flowers that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,258 (November 21, 2006, report from the Public Works Director).

10. Subject: Donation Of Audio-Visual Equipment To The Fire Department (330.05)

Recommendation: That Council accept the donation of equipment and services valued at fifty-four thousand dollars (\$54,000) for improvements to the City of Santa Barbara Fire Department Fire/Rescue training center.

Action: Approved the recommendation (November 21, 2006, report from the Fire Chief).

11. Subject: Adoption Of Tenant Displacement Assistance Ordinance (640.09)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 28 of the Santa Barbara Municipal Code to Add Chapter 28.89, The Tenant Displacement Assistance Ordinance, Concerning Relocation Assistance for Residential Tenants Displaced by Land Use Changes.

Action: Approved the recommendation; Ordinance No. 5401.

## NOTICES

- 12. The City Clerk has on Thursday, November 16, 2006, 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.
- 13. Cancellation of the regular Redevelopment Agency meeting of November 21, 2006, due to lack of business.
- 14. Cancellation of the regular City Council meeting of November 28, 2006, due to lack of a quorum.

This concluded the Consent Calendar.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the October 2006 Investment Report, which was approved by the Council as part of this Agenda's Consent Calendar (Item No. 2). The Committee also heard Staff reports regarding the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2006, and the Fiscal Year 2007 First Quarter Review; both items were approved by the Committee and will be considered by the Council as Agenda Item Nos. 15 and 16, respectively.

Councilmember Williams left the meeting at 2:29 p.m.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### FINANCE DEPARTMENT

15. Subject: Comprehensive Annual Financial Report (CAFR) For The Fiscal Year Ended June 30, 2006 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2006; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2006.

Documents:

- November 21, 2006, report from the Finance Director.
- Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2006.

Speakers:

- Staff: Accounting Manager Rudolf Livingston.
- Independent Auditor: Steven Larson, Caporicci & Larson.

Motion:

Councilmembers Horton/Schneider to approve Recommendation B.

Vote:

Unanimous voice vote (Absent: Councilmember Williams).

Councilmember Williams returned to the meeting at 2:40 p.m.

16. Subject: Fiscal Year 2007 First Quarter Review (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the status of revenues and expenditures, in relation to budget, as of September 30, 2006; and

(Cont'd)

16. (Cont'd)

- B. Accept the Fiscal Year 2007 Interim Financial Statements for the Three Months Ended September 30, 2006.

Documents:

November 21, 2006, report from the Finance Director.

Speakers:

Staff: Accounting Manager Rudolf Livingston.

Motion:

Councilmembers Horton/Falcone to approve Recommendation B.

Vote:

Unanimous voice vote.

## **MAYOR AND COUNCIL REPORTS**

17. Subject: City Advisory Group Interviews (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and  
B. Continue interviews of applicants to December 5, 2006, at 6:00 p.m.  
(Estimated Time: 2:30 p.m.)

Documents:

November 21, 2006, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Airport Commission:

Patricia Griffin

Kirk Martin

Charles Foley

Bruce Miller

Architectural Board of Review:

Sidney James Smith

Community Development and Human Services Committee:

Barbara Allen

Thomas Regalado

Community Events and Festivals Committee:

Roger Perry

Rebekah Altman

(Cont'd)

17. (Cont'd)

Speakers (Cont'd):

Creeks Advisory Committee:

Michael Jordan

Jeff Phillips

Harbor Commission:

Jeff Escola

Historic Landmarks Commission:

Robert Adams

Donald Sharpe

Alexander Pujo

Library Board:

Eric Friedman

Park and Recreation Commission:

Beebe Longstreet

Planning Commission:

Michael Jordan

Keith Coffman-Grey

James Kahan

Rental Housing Mediation Task Force:

Skip Szymanski

Bruce Wollenberg

Sister Cities Board:

Takako Wakita

Gerald Corrigan

Debbie Rogow

Transportation and Circulation Committee:

Keith Coffman-Grey

Mayor Blum stated that the interviews were being continued to December 5, 2006, at 6:00 p.m.

**RECESS**

3:46 p.m. - 4:02 p.m. Councilmember Horton was absent when the Council reconvened; prior to the recess, he stated he would not participate in the following item due to a conflict of interest related to his ownership of property proximate to the subject property.

## PUBLIC HEARINGS

18. Subject: Appeal Of The Planning Commission Approval For 601 E. Micheltorena Street, Santa Barbara Cottage Hospital Foundation Workforce Housing Project (640.07)

Recommendation: That Council:

- A. Deny the appeal of James Westby on behalf of the Lower Riviera Neighbors, the Bungalow Haven Neighborhood Association, and the Upper East Association, and uphold the Planning Commission's decision to approve the Tentative Subdivision Maps, lot area, setback, and distance between buildings Modifications, and certify the Final Environmental Impact Report (EIR) for the 115 residential condominium unit development proposed at 601 E. Micheltorena Street;
- B. Introduce and subsequently 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 Adjustment of the C-O/R-2 Zone Line for Assessor's Parcel Nos. 027-270-016, -017, -018, -019 and -030 to Follow the Proposed Property Lines for the R-2 Parcels; and
- C. Direct Staff to prepare a Decision and Findings Resolution Denying the Appeal and Upholding the Decision of the Planning Commission to Approve the Santa Barbara Cottage Hospital Foundation Workforce Housing Project, and to submit the Resolution to the City Council. (Estimated Time: 3:30 p.m.)

Documents:

- November 21, 2006, report from the Community Development Director.
- Proposed Ordinance.
- Final Environmental Impact Report for the Santa Barbara Cottage Hospital Foundation Workforce Housing Project, August 2006, Volumes I, II and III.
- August 3, 2006, Planning Commission Staff Report.
- September 20, 2006, Planning Commission Memorandum.
- September 14 and September 21, 2006, Planning Commission minutes.
- Planning Commission correspondence.
- November 20, 2006, letter to Staff from McDaniel Lambert, Inc.
- Affidavit of Publication.
- Undated document entitled "Requests to City Council by Appellants."
- Petition supporting the appeal.
- Petition supporting the proposed project, signed by Cottage Health System employees.
- November 15, 2006, letter from David Agnew, M.D.
- November 20, 2006, letter from The Riviera Association.
- November 21, 2006, and August 17, 2006, letters from the Rehabilitation Institute at Santa Barbara.
- Undated letters from Tony Zaharias, Connie Underwood.

(Cont'd)

18. (Cont'd)

Speakers:

- Staff: Project Planner Irma Unzueta, Senior Planner Jan Hubbell, City Attorney Stephen Wiley.
- Planning Commission: Commissioner William Mahan.
- Appellant: John McKinney, Jim Lishman, Warren Wood, Cheri Rae, James Westby.

The Council continued this public hearing following a recess.

**RECESS**

5:26 p.m. - 6:05 p.m.

Mayor Blum presiding.

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

Councilmembers absent: Horton.

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

**PUBLIC COMMENT**

No one wished to speak.

**PUBLIC HEARINGS (CONT'D)**

18. Subject: Appeal Of The Planning Commission Approval For 601 E. Micheltorena Street, Santa Barbara Cottage Hospital Foundation Workforce Housing Project (640.07)

(Continued From Afternoon Session)

Speakers (Cont'd):

- Applicant (Cottage Health System): Marshall Rose, Board of Directors; Ron Werft, President and CEO; Architect Brian Cearnal; Richard Starzak; Ron Biscaro.
- Members of the Public: Paul Fleischauer; Richard Moss; Matt Tirrell; Tokie Shynk; Kathy Williams; Kellem de Forest; Sharon Westby; Molly Kellogg Gusman; Steven Amerikaner, Coastal Housing Coalition; Pearl Chow; Tess Hartwell; Michael Self, Santa Barbara Safe Streets; Elizabeth Tudor; Rob Pearson; Liz Lundquist; Cathy Carter Duncan; Herb Geary; Patrice Ryan; Stephen Fountain; Naomi Kovacs, Citizens Planning Association; Rick Scott; Paula Gallucci; Sam Leer; Steven Fellows; Alison Pharbel.

(Cont'd)

18. (Cont'd)

Recess: 7:50 p.m. - 8:02 p.m.

Speakers (Cont'd):

- Members of the Public: Jim Whipple; Kevin Nelson; Mike Cahill; Angelo Secco; Dr. Dan Secord; Betsy Ingalls; Richard Hallerman; William Gabriel; Charles "CJ" Jackson; Lisa Perrin; Joanne Ronaldson; Brennan Lynch; Jim Knight; Alex Shadle; Lisa Hutchens; Courtney Seepie; Clay Cole.
- Consultant to the City: Charles Lambert, McDaniel Lambert, Inc.

Public comment closed:  
8:39 p.m.

Motion:

Councilmembers Barnwell/House to approve the recommendations, directing Staff to amend the Conditions of Approval for the project to include Council comments.

Vote:

Majority voice vote (Noes: Councilmember Williams; Absent: Councilmember Horton).

## ADJOURNMENT

Mayor Blum adjourned the meeting at 10:01 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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MARTY BLUM  
MAYOR

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SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK