



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING August 8, 2006 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 2:00 p.m. (The Finance Committee met at 1:00 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: Cheri Rae, Lazarus, and Larry Bezark.

COUNCIL AND STAFF COMMUNICATIONS

The Parks and Recreation Director, Chief of Police, and Public Works Director reported to Council on the results of 2006 Old Spanish Days Fiesta activities.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton reported on his attendance at a conference sponsored by County Supervisor Rose regarding broadband technology.
- Councilmember Barnwell noted that the Library Board will honor the City's retiring Library Director, Carol Keator, at its upcoming meeting. He also commented on the issue of broadband technology.
- Councilmember Williams reported that the Cachuma Operation & Maintenance Board and Cachuma Conservation Release Board are nearing agreement on a proposal to unify the two agencies; he also commented on his participation in United Way's "Fun in the Sun" program.
- Mayor Blum commented on: 1) a visit by a Spanish soccer team; and 2) a press conference held by several public safety agencies to heighten awareness of the current fire season.
- Councilmember Falcone advised Council and the public of the availability of a report prepared by the County regarding disaster preparedness.

CONSENT CALENDAR (Item Nos. 1 – 8)

The title of the ordinance related to Item No. 6 was read.

Motion:

Councilmembers Horton/Williams 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 adjourned regular meeting of July 24, 2006, and the regular meeting of July 25, 2006.

Action: Approved the recommendation.

2. Subject: Santa Barbara Energy Efficiency Partnership Program With Southern California Edison Company (380.01)

Recommendation: That Council:

- A. Authorize the City Administrator to execute the Agreement to Jointly Deliver the Santa Barbara Energy Efficiency Partnership Program between the City of Santa Barbara (City) and Southern California Edison Company (SCE); and

(Cont'd)

2. (Cont'd)

- B. Direct staff to participate in the Greater Santa Barbara Energy Efficiency Partnership, designating the City's Public Works Facilities Manager as the Energy Champion.

Action: Approved the recommendations; Agreement No. 22,173 (August 8, 2006, Public Works Director's report).

3. Subject: Contract For Construction Inspection Services For The Cottage Hospital Public Improvements - Offsite Storm Drain Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Penfield & Smith Engineers, Incorporated (Penfield & Smith), in the amount of \$91,148 for construction inspection services for the City of Santa Barbara-owned improvements in the Cottage Hospital Public Improvements - Offsite Storm Drain, Water, and Sewer Project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$9,114 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,174 (August 8, 2006, Public Works Director's report).

4. Subject: Appropriation Of Additional Funds To The Library Department (230.05)

Recommendation: That Council:

- A. Appropriate to the Fiscal Year 2006-2007 operating budget of the Library Department \$24,000 from the Library Gift Trust for the purpose of staffing for the Adult Literacy Program and computer equipment replacements; and
- B. Appropriate to the Fiscal Year 2006-2007 operating budget of the Library Department \$71,000 from the County Library Reserve Fund for the purpose of online databases, website redesign, and Library programming.

Speakers:

Member of the Public: Lazarus.

Action: Approved the recommendations (August 8, 2006, Library Director's report).

5. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 517 Chapala Street

Recommendation: That Council:

- A. Set the date of September 26, 2006, at 2:00 p.m. for hearing the appeal filed by Kathryn L. Dole of the Planning Commission approval of an application for property owned by H & R Investments, LP, and located at 517 Chapala Street, Assessor's Parcel Number 037-163-007 & -008, C-2 Commercial Zone, General Plan Designation: General Commerce. The project consists of a lot merger, demolition, and the construction of a three-story, mixed-use development with six residential condominium units and two commercial condominium units. The discretionary applications required are Modifications, Development Plan Approval, and a Tentative Subdivision Map; and
- B. Set the date of September 25, 2006, at 1:30 p.m. for a site visit to the property located at 517 Chapala Street.

Action: Approved the recommendations (July 24, 2006, letter of appeal).

6. Subject: Adoption Of Ordinance For Lease Agreement With Reggie Drew, Doing Business As Stearns Wharf Bait And Tackle (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Reggie Drew, Doing Business as Stearns Wharf Bait and Tackle, Commencing on August 18, 2006, for the Bait and Tackle Shop Operating at 232 Stearns Wharf at a Monthly Rent of \$623 or 10% of Gross Sales, Whichever is Greater.

Action: Approved the recommendation; Ordinance No. 5394; Agreement No. 22,175.

NOTICES

7. The City Clerk has on Thursday, August 3, 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.
8. Received a letter of resignation from Sister Cities Board Member George Potter; the vacancy will be part of the next City Advisory Group recruitment. (130.03)

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to discuss a Staff recommendation to increase a previously-approved loan to the Mental Health Association for its housing project at 617 Garden Street. The Committee approved the recommendation, which the Redevelopment Agency Board will consider as Agenda Item No. 9 (appears in the Redevelopment Agency minutes).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

10. Subject: Lower Mission Creek Flood Control Project Update (530.03)

Recommendation: That Council hear a status update on the Lower Mission Creek Flood Control Project.

Documents:

- August 8, 2006, Public Works Director's report.
- PowerPoint presentation prepared and made by Staff.
- Reports/Studies: 1) Hydraulic Technical Appendix to the project's Feasibility Study; 2) Genetics of Eucyclogobius newberryi (Tidewater Goby); 3) Draft Tidewater Goby Management Plan; and 4) Draft Channel Design Recommendations.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, Creeks Restoration/Clean Water Manager Jill Zachary, City Attorney Stephen Wiley.
- Creeks Advisory Committee: Member David Pritchett.
- Members of the Public: Gay Boucher, Tony Romasanta.

By consensus, the Council received the report.

COMMUNITY DEVELOPMENT DEPARTMENT

11. Subject: Lease And Sublease For Sobering Center At Faulding Hotel (520.04)

Recommendation: That Council authorize the City Administrator to enter into a lease for space at the rear of the Faulding Hotel and to enter into a sublease with Thresholds to Recovery for operation of a Sobering Center in such space, each in a form approved by the City Attorney.

(Cont'd)

11. (Cont'd)

Documents:

August 8, 2006, report from the Community Development Director and Chief of Police.

Speakers:

Staff: Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson, Deputy Chief of Police Richard Glaus.

Motion:

Councilmembers Schneider/Falcone to approve the recommendation; Agreement Nos. 22,176 and 22,177.

Vote:

Unanimous voice vote.

RECESS

3:56 p.m. – 4:06 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

12. Subject: Los Portales Project At 535 E. Montecito Street (660.04)

Recommendation: That Council consider several project alternatives and affordability provisions for the Los Portales Project and provide the applicants and Staff with feedback regarding the project.

Documents:

August 8, 2006, Community Development Director's report.

Speakers:

- Staff: Community Development Director Paul Casey, Project Planner Victoria Greene, Housing Programs Supervisor Steven Faulstich, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson, City Administrator James Armstrong.
- Applicant: Robert Pearson, Housing Authority of the City of Santa Barbara; Detlev Peikert, Architect; Joe Campanelli and Jeff Bermant, Bermant Homes.
- Members of the Public: Sheila Kamhi, League of Women Voters of Santa Barbara; Steve Amerikaner and Jacob Johnson, Coastal Housing Coalition; Naomi Kovacs and David Landecker, Citizens Planning Association.

(Cont'd)

12. (Cont'd)

Discussion:

All Councilmembers commented on the project alternatives presented, and a majority indicated a preference for a 48-unit project with a minimum number of market-rate units. The Council also expressed its willingness to approve the creation of a new affordability category of for-sale units directed to incomes of 200% - 220% of Area Median Income.

CHANGES TO THE AGENDA

Item Removed from Agenda

Motion:

Councilmembers Falcone/Schneider to continue the following item to August 15, 2006.

Vote:

Unanimous voice vote.

13. 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 Homes on Wheels, et al., v. City of Santa Barbara, et al., Santa Barbara Superior Court Case No. 1112384.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

RECESS

6:36 p.m. - 7:02 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 Tschech.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

14. Subject: Single Family Design Guidelines And Neighborhood Preservation Ordinance Update Package (640.02)

Recommendation: That Council:

- A. Consider overall Draft updates to the Single Family Design Guidelines (SFDG), Architectural Board of Review Guidelines, and Neighborhood Preservation Ordinance (NPO);
- B. Discuss key issues and provide direction on major points; and
- C. Refer the Update Package to the Ordinance Committee, Finance Committee, Citizens Advisory Group Subcommittee, and the Architectural Board of Review (ABR) for consideration as described in Section III of the Council Agenda Report (CAR).

Documents:

- August 8, 2006, Community Development Director's report.
- Single Family Design Guidelines/Neighborhood Preservation Ordinance Update Package, transmitted by May 4, 2006, staff memorandum.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Community Development Director Paul Casey, Design Review Supervisor Jaime Limón, Project Planner Heather Baker.
- Architectural Board of Review: Members Bruce Bartlett, Gary Mosel.
- Historic Landmarks Commission: Commissioner Alex Pujo.
- Planning Commission: Commissioners Charmaine Jacobs, Harwood White, William Mahan.
- Members of the Public: Kim Wilson; Bill Wolf; Jen Moore; John Lamb; Dianne Channing; Naomi Kovacs, Citizens Planning Association; Joe Andrulaitis, American Institute of Architects; Cathie McCammon, League of Women Voters of Santa Barbara; Vadim Hsu; Connie Hannah, League of Women Voters of Santa Barbara; Greg Rech and Paul Zink, American Institute of Architects; Robert Hurlbett; Jill Dumain; Kevin Dumain; Ginny Miller, Citywide Homeowners; Darwin Holter; Toby Bradley, Santa Barbara Association of Realtors.

Recess: 8:39 p.m. - 8:43 p.m.

Speakers (Cont'd):

- Architectural Board of Review: Member Christopher Manson-Hing.

(Cont'd)

14. (Cont'd)

Speakers (Cont'd):

- Members of the Public: Andrea Krautmann and Timothy Harding, Citywide Homeowners; Mary O’Gorman, Santa Barbara County Action Network; Bill Hazard; Michelle Giddens; Walter Knapp; Joe Rution; John DeVore; Betsy Cramer; Jim Taylor; Christine Pierron; Tom Jacobs; Patricia Foley, Braemar Ranch Homeowners Association; S. Dorothy Fox; Matt Vaughan, Santa Barbara Association of Realtors; Sheila Lodge; Lanny Ebenstein; John Chufar, Santa Barbara Association of Realtors; Lauren Williams (letter read in her absence); Janice Taylor; Alexandra Lynch, Citywide Homeowners; Paul Hernadi; Donna Bayet; Richard Box; Lee Moldaver; Joe Cantrell, Marine Terrace Neighborhood Preservation Group.

Motion:

Councilmembers Williams/Barnwell to implement a Floor to Lot Area Ratio Program as Ordinance standards/regulations.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Barnwell/Horton to apply Floor to Lot Area Ratio standards to lots up to 15,000 square feet in size.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Falcone/Horton to approve the proposed Floor to Lot Area Ratio chart and the figures therein.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Barnwell/Falcone to establish, as a guideline, a maximum second-story size of 15% of lot area.

Vote:

Failed to carry by voice vote (Noes: All Councilmembers).

Motion:

Councilmembers House/Schneider to allow the possibility of Planning Commission approval for projects exceeding the maximum applicable Floor to Lot Area Ratio, with the approval to be based on specific required findings that are yet to be crafted.

Vote:

Majority voice vote (Noes: Councilmember Williams).

(Cont'd)

14. (Cont'd)

Motion:

Councilmembers Horton/House to establish a guideline for the application of Floor to Lot Area Ratios to single-family home projects located in land use zones other than single-family zones, where at least two single-family homes exist immediately adjacent to the proposed project.

Vote:

Majority voice vote (Noes: Councilmembers Barnwell, Schneider, Williams).

Motion:

Councilmembers Schneider/Horton to establish a guideline for the application of Floor to Lot Area Ratios to two-unit projects in single-family zones.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Falcone/Horton to retain the name "Neighborhood Preservation Ordinance."

Vote:

Unanimous voice vote.

Motion:

Councilmembers Williams/Schneider to retain language within the Single Family Design Guidelines regarding the consideration of neighbors' views and to request that the Ordinance Committee discuss the possible addition of this language to the findings for project approval.

Vote:

Majority voice vote (Noes: Councilmember Falcone).

ADJOURNMENT

Mayor Blum adjourned the meeting at 10:42 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK