



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 3, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

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### 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 Ordinance Committee met at 12:30 p.m. The Finance Committee met at 1:00 p.m.)

### 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: Acting City Administrator Joan M. Kent, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

### CEREMONIAL ITEMS

1. Subject: Letter Of Recognition Of The Suzhou Kunqu Opera Theatre Of Jiangsu's Performance Of "The Peony Pavilion" (120.04)

Action: Letter of Recognition presented to University of California of Santa Barbara Chancellor Henry Yang and Professor Kenneth Pai.

2. 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 October 31, 2006.

(Cont'd)

2. (Cont'd)

Documents:

October 3, 2006, report from the Administrative Services Director.

Speakers:

Staff: Police Officer Roger Aceves, Acting City Administrator Joan M. Kent.

Action: By consensus, the Council approved the recommendation. The following employees were recognized:

25-Year Pin

Roger Aceves, Police Officer, Police  
Bradford Landreth, Risk Manager, Finance

15-Year Pin

Susan Tschech, Deputy City Clerk, Administrative Services  
John Ewasiuk, Principle Engineer, Public Works  
Robert Dayton, Principle Transportation Planner, Public Works  
James Freer, Senior Tree Trimmer, Parks and Recreation

5-Year Pin

James Armstrong, City Administrator, City Administrator's Office  
John Bull, Network/Applications Analyst, Administrative Services  
Laura DeJohn, Public Safety Dispatcher, Police  
Anthony Nisich, Public Works Director, Public Works  
David Stubchaer, Supervising Engineer, Public Works  
Ramon Perez, Custodian, Parks and Recreation

3. Subject: Proclamation Declaring October 2006, As National Arts And Humanities Month (120.04)

Action: Proclamation presented to Santa Barbara County Arts Commission Executive Director Ginny Brush.

**CHANGES TO THE AGENDA**

Item Removed From Agenda

At the request of Acting City Administrator Joan M. Kent, the following item was removed from the Agenda and will be placed on a future Agenda.

16. Subject: Plaza De La Guerra Infrastructure Design Status (570.05)

Recommendation: That Council review and provide direction to staff regarding the initial Plaza de la Guerra infrastructure design concepts.

## **PUBLIC COMMENT**

Speakers: Kenneth Loch, Patricia Hiles, David Waas, Maurya Murphy, and Alex Pujo.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Horton mentioned the following: 1) the opening of the Santa Barbara County Crisis Recovery and Emergency Services Unit; 2) the opening of the new Rape Crisis Center at 433 Canon Perdido; and 3) the Supreme Court opening session at the Santa Barbara Courthouse.
- Councilmember Falcone spoke about the Supreme Court proceedings, and the opening of the remodel of Design Arc.
- Councilmember House reported on his attendance at a meeting with residents in upper Mission Canyon regarding a water main replacement. He also mentioned the Coastal Quilters Quilt Show at the Earl Warren Showgrounds.
- Councilmember Barnwell spoke about the following: 1) the Harbor Festival to be held on October 14; 2) the graffiti removal program and expressed congratulations to Lorraine Cruz-Carpenter and Looking Good Santa Barbara for their work on this program; 3) a lecture by Ed Mazria on green building and global warming at the Marjorie Luke Theatre; 4) his attendance, along with Councilmember Horton and Mayor Blum, at a broadband discussion; 5) the Council's Solid Waste Subcommittee meeting; and 6) the possible error in billing of green waste cans.
- Councilmember Williams spoke about the following: 1) a proposal to mandate energy reduction targets; 2) the Community Environmental Council unveiled their plan on bio-diesel fuels; 3) the joint Cachuma Operations & Maintenance Board and Cachuma Conservation Release Board meeting; 4) a presentation on suicide prevention; 5) his attendance, along with Councilmember Schneider at the Tri-County Central Labor Leader of the Year event; 6) the Parks and Recreation Commission recommendation regarding the Cabrillo sidewalks; and 7) the Snowy Plover Docent Training scheduled for this Saturday, 11:30 p.m., at the Coal Oil Point.
- Councilmember Schneider commented on the Girl Scouts Women of Distinction Luncheon.
- Mayor Blum spoke about the following events: 1) the ribbon cutting ceremony at the Airport; 2) the Ed Mazria lecture at the Marjorie Luke Theatre; and 3) International Walk to School Day tomorrow.

## **CONSENT CALENDAR (Item Nos. 4 – 10, 14 and 15)**

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

Councilmember Williams left the meeting at 2:48 p.m.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Williams).

## CITY COUNCIL

### 4. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special and regular meetings of September 19, 2006, and the special meeting of September 20, 2006.

Action: Approved the recommendation.

### 5. Subject: Fiscal Year 2007 Interim Financial Statements For The Two Months Ended August 31, 2006 (250.02)

Recommendation: That Council accept the Fiscal Year 2007 Interim Financial Statements for the Two Months Ended August 31, 2006.

Action: Approved the recommendation (October 3, 2006, report from the Finance Director).

### 6. Subject: Introduction Of Ordinance For Consent To Sublease And Non-Disturbance Agreement With Ampersand Aviation, LLC, And Federal Express Corporation, At The Airport (330.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute Consent to Sublease and Non-Disturbance Agreement between the City of Santa Barbara, Ampersand Aviation, LLC, a California Limited Liability Company, and Federal Express Corporation, a Delaware Corporation, for hangar building space at 495 South Fairview Avenue, at the Santa Barbara Airport; and

(Cont'd)

6. (Cont'd)

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Consent to Sublease and Non-Disturbance Agreement Dated November 9, 2006, Between the City of Santa Barbara, Ampersand Aviation, LLC, and Federal Express Corporation for an Air and Ground Small Package Shipping Facility, at the Santa Barbara Municipal Airport.

Action: Approved the recommendations (October 3, 2006, report from the Airport Director; proposed ordinance).

7. Subject: Resolution Amending The Term Of Office For The Sign Committee (640.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Certain Provisions Regarding Sign Committee Membership and Repealing Resolution Nos. 81-053, 90-028 and 95-083.

Action: Approved the recommendation; Resolution No. 06-084 (October 3, 2006, report from the Community Development Director; proposed resolution).

8. Subject: Resolution Amending The Community Development And Human Services Committee Housing Authority Representative Category (610.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Affirming Establishment of the Community Development and Human Services Committee (CDHSC), Changing the Membership Requirements for the Category of the Commission Member of the Housing Authority of the City of Santa Barbara, and Rescinding Resolution Number 05-031.

Action: Approved the recommendation; Resolution No. 06-085 (October 3, 2006, report from the Community Development Director; proposed resolution).

9. Subject: Resolution Amending The Community Events And Festivals Committee Membership (230.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reorganizing the Community Events and Festivals Committee and Repealing Resolution Nos. 89-108 and 92-017.

Action: Approved the recommendation; Resolution No. 06-086 (October 3, 2006, report from the Community Development Director; proposed resolution).

10. Subject: Notice Of Completion For The Santa Barbara Airport Airfield Drainage System Rehabilitation Project (560.04)

Recommendation: That Council:

- A. Approve additional change order expenditure authority for the Santa Barbara Airport Airfield Drainage System Rehabilitation Project, Contract No. 21,798, in the amount of \$25,642, for a total change order expenditure authority of \$96,919; and
- B. Accept the work completed by Lash Construction (Lash), Contract No. 21,798, Bid No. 3446, for the Santa Barbara Airport Airfield Drainage System Rehabilitation Project in the final contract amount of \$1,115,170, including approved changes, and approve the filing of a Notice of Completion.

Action: Approved the recommendations (October 3, 2006, report from the Public Works Director).

Item Nos. 11 – 13 appear in the Redevelopment Agency minutes.

## NOTICES

14. The City Clerk has on Thursday, September 28, 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.
15. A City Council site visit is scheduled for Monday, October 9, 2006, at 1:30 p.m. to the property located at 216 East Calle Laureles, which is the subject of a public hearing set for October 10, 2006, at 2:00 p.m.

This concluded the Consent Calendar.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to discuss proposed changes to the regulations and ordinances related to parking and use of recreational vehicles. A staff analysis will be prepared, along with public outreach, after which staff will return to the Committee with a draft ordinance.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger L. Horton reported that the Committee met to review the City's and Redevelopment Agency's Interim Financial Reports, which were approved as part of the Consent Calendar (Item Nos. 5, 12 and 13, respectively).

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

### **PARKS AND RECREATION DEPARTMENT**

17. Subject: Resolution To Revise The Membership And Terms Of The Creeks Restoration And Water Quality Improvement Citizen Advisory Committee (540.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reaffirming Establishment of the Creeks Restoration and Water Quality Improvement Program Citizen Advisory Committee, Revising the Membership, Terms, and Term Limits, and Repealing Resolution No. 00-140.

Documents:

- October 3, 2006, report from the Parks and Recreation Director.
- Proposed Resolution.

The title of the resolution was read.

Councilmember Williams entered the meeting at 2:51 p.m.

Speakers:

- Staff: Creeks Restoration/Clean Water Manager Jill Zachary, City Attorney Stephen P. Wiley.
- Creeks Advisory Committee: Member Daniel Hochman.

Motion:

Councilmembers Williams/Horton to approve the recommendation; Resolution No. 06-087.

Vote:

Unanimous roll call vote.

### **RECESS**

3:06 p.m. - 3:10 p.m., during which time the Council reconvened in closed session for Item No. 19.

## **CLOSED SESSIONS**

19. Subject: Conference With Legal Counsel - Litigation (160.03)

Recommendation: That Council hold a closed session to consider litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The litigation is Shawn Comrie v. City of Santa Barbara, et al., USDC Case No. CV 05-2459 GAF (CTx)

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 3, 2006, report from the City Attorney's Office.

Time:

3:10 p.m. - 3:36 p.m.

Recess: 3:36 p.m. - 4:00 p.m., during which time the Council reconvened in the Council Chamber.

Announcement:

Mayor Blum stated there was no reportable action taken during the closed session.

## **COMMUNITY DEVELOPMENT DEPARTMENT**

18. Subject: Consideration For Annexation Of 900 - 1100 Las Positas Road, Veronica Meadows Specific Plan (680.04)

Recommendation: That Council:

- A. Comment on the conceptual site plan, project description and creek restoration plan prepared by the applicant;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Initiating the Annexation of the Veronica Meadows Specific Plan Area to the City of Santa Barbara, Adopting a Specific Plan For the Veronica Meadows Specific Plan Area (The "SP-9 Zone"), and Related Land Use Actions and Findings for Property Located at 900-1100 Las Positas Road, Assessor Parcel Numbers 047-010-011, 047-010-016, 047-061-026 and a Portion of 047-010-053; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Lot Line Adjustment at the 900-1100 Block of Las Positas Road (Veronica Meadows Specific Plan).

(Estimated Time: 4:00 p.m.)

18. (Cont'd)

Documents:

- October 3, 2006, report from the Community Development Director.
- Proposed Ordinance.
- Proposed Resolution.
- Affidavit of Publication.
- May 8, 2006, letter from Braemar Ranch Homeowners Association.
- September 26, 2006, letters from Elaine Bowie and Steve H. Dougherty.
- September 28, 2006, letter from the Santa Barbara Urban Creeks Council.
- September 29, 2006, letter from Citizens Planning Association of Santa Barbara County, Inc.
- October 2, 2006, letter from Linda, Douglas and Heather Boyd.
- October 3, 2006, letter from Ridge Baccash.

The titles of the ordinance and resolution were read.

Mayor Blum announced that staff and the applicant will make their presentations first; the Council will then recess and reconvene at 6:00 p.m., at which time public comment will be heard.

Speakers:

- Staff: Community Development Director Paul Casey, Associate Planner Allison De Busk, City Planner Bettie Weiss, City Attorney Stephen P. Wiley, Principal Transportation Planner Rob Dayton.
- Applicant: Steven Amerikaner, Hatch & Parent Law Corporation, Mitchell Swanson, Swanson Hydrology.
- Planning Commission: Commissioners William Mahan and Harwood White.
- Creeks Advisory Committee: Member Michael Jordan.

**RECESS**

5:26 p.m. - 6:01 p.m.

Mayor Blum presiding.

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

Councilmembers absent: None.

Staff present: Acting City Administrator Kent, City Attorney Wiley, Deputy City Clerk Alcazar.

**PUBLIC COMMENT**

No one wished to speak.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### COMMUNITY DEVELOPMENT DEPARTMENT

18. Subject: Consideration For Annexation Of 900 - 1100 Las Positas Road, Veronica Meadows Specific Plan (680.04) (Continued From Afternoon Session)

Public Comment Opened:  
6:03 p.m.

Speakers:

- Park and Recreation Commission: Commissioner Beebe Longstreet.
- Creeks Advisory Committee: Member David Pritchett.
- Members of the Public: Andrew Seibold; Braemar Ranch Homeowners Association: Director Ridge Baccash, and Gil Barry; Executive Director Naomi Kovacs, Citizens Planning Association; Florence Hu; Walter Knapp; DeLois Cramer; Patricia Foley, President, Braemar Ranch Homeowners Association; Elaine Bowie; Andrea Stout; Paul Dubuc; Douglas Gillies, Adult Education Omega Program; Gary Shumaker; Betty Shumaker; Carleton Magonn; Inge Knapp; Scott Nosman; Ramona Escobar; Robert Rice; Jeff Ruppert; Daniel McCarter; Jim Higman; Pat Marquart; Laura Nanna; David Landecker, Citizens Planning Association.
- Staff: Project Planner Barbara Shelton.

Public Comment Closed:  
7:05 p.m.

Motion:

Councilmembers House/Barnwell to continue this item with the direction for staff to work with the applicant and return to Council with an ordinance and other necessary actions for a project design and density similar to the prior 23-unit project, including the following: 1) drainage that is daylighted, as well as other flood control systems; 2) a traffic signal at Las Positas Road; 3) a bridge for vehicular and pedestrian access; 4) emergency access at Alan Road; 5) peer reviews and long term maintenance of creek restoration; and 6) an affordable housing component of 2 to 4 units.

Vote:

Majority voice vote (Noes: Councilmember Schneider, Williams).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 8:11 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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BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK