



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 7, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 1:00 p.m. The Ordinance Committee, which is ordinarily scheduled to meet 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, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. 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 December 31, 2004.

DOCUMENTS:

December 7, 2004, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong, Award Recipients Janaki Wilkinson, Denise Reid.

(Cont'd)

1. (Cont'd)

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

30-Year Pin

David Palato, Fire

25-Year Pin

Janice Wilkinson, Fire

Denise Reid, Parks and Recreation

20-Year Pin

Jimmie Rivera, Community Development

Pamela Christian, Police

Mark Rauch, Parks and Recreation

15-Year Pin

Terrance Ryan, Public Works

10-Year Pin

Richard Dubrin, Public Works

5-Year Pin

Lesley Torgeson, Administrative Services

Brian Bosse, Community Development

Jessica Grant, Community Development

Nancy Woods, Parks and Recreation

David Lopez, Airport

PUBLIC COMMENT

SPEAKERS: Ken Loch, Richard Robinson, Robert Ludwick, and Marianne Gordin.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Falcone reported on her attendance at the National League of Cities annual conference and congratulated Councilmember Secord on his appointment to the California Coastal Commission.
- Councilmember Horton mentioned his attendance at the Santa Barbara Independent's "Local Heroes" ceremony and extended his appreciation to Marshall Rose and The Downtown Organization for their efforts to coordinate the annual Christmas Parade.
- Councilmember Williams reported on a recent meeting of the Historic Landmarks Commission at which the design of a proposed Historic Landmark Walk was discussed; he also remarked on his participation in a project to test creek water quality.
- Councilmember Barnwell thanked the contestants who participated in the annual Parade of Lights at the Santa Barbara Harbor.

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INFORMATION (CONT'D):

- Councilmember Schneider mentioned her attendance at the retirement party held for outgoing Santa Barbara County Supervisor Gail Marshall.

CONSENT CALENDAR (Item Nos. 2 – 13)

The titles of all resolutions and ordinances related to Consent Calendar items were read.

MOTION:

Councilmembers Barnwell/Secord 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 meetings of November 16 and November 23, 2004.

ACTION: Approved the recommendation.

3. SUBJECT: CONTRACT FOR HALEY/DE LA VINA BRIDGE PROJECT AT 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 \$345,911, for final engineering design for the replacement of the Haley/De La Vina Bridge at Mission Creek; and
- B. Authorize the Public Works Director to approve expenditures of up to \$34,591 for extra services of Bengal that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,565 (December 7, 2004, Public Works Director's report).

4. SUBJECT: ADOPTION OF ORDINANCE FOR AMENDMENTS TO MUNICIPAL CODE TITLES 14 AND 16 (540.13)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 14.44.160 and Section 16.02.040 of the Santa Barbara Municipal Code Pertaining to Maintenance of Private Sewers and Wastewater Discharge Standards.

ACTION: Approved the recommendation; Ordinance No. 5340.

5. SUBJECT: UPDATE OF CONFLICT OF INTEREST RESOLUTION (110.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Conflict of Interest Code of the City of Santa Barbara to Incorporate by Reference the Fair Political Practices Commission's Model Code, and Rescinding Resolution No. 02-130.

ACTION: Approved the recommendation; Resolution No. 04-095 (December 7, 2004, Assistant City Administrator's report; proposed resolution).

6. SUBJECT: ADOPTION OF ORDINANCE AMENDING SANTA BARBARA MUNICIPAL CODE SECTION 28.66.050 (640.09)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 28.66.050 of the Santa Barbara Municipal Code Regarding the Calculation of Building Height of Stage Additions in the C-2 Zone.

ACTION: Approved the recommendation; Ordinance No. 5341.

7. SUBJECT: NOTICE OF COMPLETION FOR SHEFFIELD WATER QUALITY PROJECT TEMPORARY RESERVOIRS (540.09)

RECOMMENDATION: That Council accept the work completed by Spiess Construction Company, Incorporated (Spiess), Contract No. 20,672, for the Sheffield Water Quality Project Temporary Reservoirs, Bid No. 3327, located at 605 Mission Ridge Road, in the final contract amount of \$2,284,079.56, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (December 7, 2004, Public Works Director's report).

8. SUBJECT: CERTIFICATION OF SPECIAL MUNICIPAL ELECTION RESULTS OF NOVEMBER 2, 2004 (110.01)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Approving the Certification of Election Results of the Official Canvass of the Special Municipal Election Held in Said City November 2, 2004.

ACTION: Approved the recommendation; Resolution No. 04-096 (December 7, 2004, Assistant City Administrator's report; proposed resolution).

9. SUBJECT: RECORDS DESTRUCTION FOR CITY ADMINISTRATOR'S OFFICE (160.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

ACTION: Approved the recommendation; Resolution No. 04-097 (December 7, 2004, Assistant City Administrator's report; proposed resolution).

10. SUBJECT: LEASE AGREEMENT WITH TEGAL CORPORATION, INC. (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a month-to-month Lease Agreement with Tegal Corporation, Inc., a Delaware Corporation, for 3,040 square feet of Building 115, 6160 C&D Wallace Becknell Road, at the Santa Barbara Airport, effective December 1, 2004, for a total monthly rental of \$2,949, exclusive of utilities.

ACTION: Approved the recommendation; Contract No. 21,566 (December 7, 2004, Airport Director's report).

NOTICES

11. The City Clerk has on Thursday, December 2, 2004, at 3:00 p.m. 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. Cancellation of the regular Redevelopment Agency meeting of December 7, 2004, due to lack of business.
13. A City Council site visit is scheduled for Monday, December 6, 2004, at 1:30 p.m. to the property located at 425 Stanley Drive, which is the subject of a public hearing set for December 7, 2004, at 6:00 p.m.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

14. SUBJECT: FINANCE COMMITTEE AGENDA, DECEMBER 7, 2004, 1:00 P.M., IN ROOM 15 (120.03)
- A. Human Services Program and Funding Level; and
 - B. Loans to People's Self-Help Housing Corp. for Development of Affordable Housing Adjacent to the New Granada Garage (21 East Anapamu Street).

15. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee reviewed Staff recommendations regarding the Human Services Program funding level and the development of affordable housing adjacent to the new Granada Garage parking structure. The Committee approved all recommendations, which will be submitted to the full Council for its consideration.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

16. SUBJECT: REQUEST FROM COUNCILMEMBER FALCONE TO HEAR A PRESENTATION ON THE BUILT GREEN SANTA BARBARA PROGRAM (640.04)

RECOMMENDATION: That Council consider a request by Councilmember Iya Falcone to place an item on a future Council Agenda to hear a presentation from Joe Campanelli on the Built Green Santa Barbara Program.

DOCUMENTS:

December 7, 2004, City Administrator's report.

SPEAKERS:

- Santa Barbara Contractors Association: President Joe Campanelli.
- Member of the Public: Ken Loch.

MOTION:

Councilmembers Secord/Schneider to approve the request.

VOTE:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

17. SUBJECT: DOWNTOWN EMPLOYEE SURVEY (670.09)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to negotiate and execute a Professional Services Contract with Davies Communications for a not-to-exceed amount of \$86,900, to perform a Downtown Employee Survey (Survey); and
- B. Authorize the Public Works Director to approve expenditures for extra services that may result from necessary changes in the scope of work, in an amount not to exceed \$10,000.

(Cont'd)

17. (Cont'd)

DOCUMENTS:

December 7, 2004, Public Works Director's report.

SPEAKERS:

- Staff: Transportation Manager Browning Allen.
- Downtown Parking Committee: Member Marshall Rose.
- Santa Barbara County Association of Governments: Traffic Solutions Program Administrator Kent Epperson.
- Santa Barbara Metropolitan Transit District: Steve Maas.
- Davies Communications (City contractor): John Davies.

MOTION:

Councilmembers Secord/Schneider to approve the recommendations;
Contract No. 21,567.

VOTE:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

18. SUBJECT: CITY ADVISORY GROUP APPOINTMENTS (140.05)

RECOMMENDATION: That Council make appointments to the City Advisory Groups.

DOCUMENTS:

December 7, 2004, Assistant City Administrator's report.

SPEAKERS:

Staff: Deputy City Clerk Brenda Alcazar.

WESTSIDE CENTER:

MOTION:

Councilmembers Secord/Barnwell to appoint Juan Carlos Curiel.

VOTE:

Unanimous voice vote.

APPOINTMENT:

Juan Carlos Curiel was appointed as a representative of Census Tract 11 for a term expiring December 31, 2008.

(Cont'd)

18. (Cont'd)

WATER COMMISSION:

NOMINEES:

Steven M. Little, Loretta Redd.

VOTE:

- For Little: Councilmembers Barnwell, Falcone, Horton, Schneider, Secord, Williams, Mayor Blum.
- For Redd: Councilmembers Barnwell, Falcone, Horton, Williams, Mayor Blum.

APPOINTMENTS:

Steven M. Little was reappointed and Loretta Redd was appointed for terms expiring December 31, 2008.

TRANSPORTATION AND CIRCULATION COMMITTEE:

MOTION:

Councilmembers Horton/Falcone to reappoint William C. Boyd.

VOTE:

Unanimous voice vote.

APPOINTMENT:

William C. Boyd was reappointed for a term expiring December 31, 2008.

SISTER CITIES BOARD:

NOMINEES:

Janet M. Baker, Suzanne Fairly-Green, George Potter.

VOTE:

- For Baker: Councilmembers Barnwell, Falcone, Schneider, Secord, Williams.
- For Fairly-Green: Councilmembers Barnwell, Horton, Mayor Blum.
- For Potter: Councilmembers Falcone, Horton, Schneider, Secord, Williams, Mayor Blum.

APPOINTMENTS:

Janet M. Baker and George Potter were reappointed for terms expiring December 31, 2008.

(Cont'd)

18. (Cont'd)

SIGN COMMITTEE:

ACTION:

By consensus, the Council appointed Natalie Cope and reappointed Tom Nilsen.

APPOINTMENTS:

Natalie Cope was appointed and Tom Nilsen was reappointed for terms expiring December 31, 2006.

RENTAL HOUSING MEDIATION TASK FORCE:

ACTION:

By consensus, the Council reappointed Michael Daniel Bifano and appointed G. Russell Boggie and Benjamin Douglas Bush.

APPOINTMENTS:

Michael Daniel Bifano was reappointed to the Tenant/Resident of the County category and G. Russell Boggie was appointed to the Landlord/Resident of the City category, for terms expiring December 31, 2008, and Benjamin Douglas Bush was appointed to the Tenant/Resident of the City category for a term expiring December 31, 2006.

PLANNING COMMISSION:

NOMINEES:

Stella Larson, Lee Moldaver, George C. Myers, Addison S. Thompson, John Joseph Thyne III.

VOTE:

- For Larson: Councilmembers Barnwell, Falcone, Horton, Schneider, Secord, Williams, Mayor Blum.
- For Moldaver: Councilmember Williams.
- For Myers: Councilmembers Horton, Schneider, Mayor Blum.
- For Thompson: Councilmembers Barnwell, Falcone, Secord.
- For Thyne: None.

SECOND VOTE:

- For Myers: Councilmembers Horton, Schneider, Williams, Mayor Blum.
- For Thompson: Barnwell, Falcone, Secord.

(Cont'd)

18. (Cont'd)

PLANNING COMMISSION (Cont'd):

APPOINTMENTS:

Stella Larson and George C. Myers were appointed for terms expiring December 31, 2008.

PARK COMMISSION AND RECREATION COMMISSION:

NOMINEES:

W. Scott Burns, Steve Forsell, and Arnaldo González.

VOTE:

- For Burns: Councilmembers Barnwell, Secord.
- For Forsell: Councilmembers Barnwell, Falcone, Horton, Schneider, Secord, Williams, Mayor Blum.
- For González: Councilmembers Falcone, Horton, Schneider, Williams, Mayor Blum.

APPOINTMENTS:

Steve Forsell was reappointed and Arnaldo González was appointed for terms expiring December 31, 2008.

METROPOLITAN TRANSIT DISTRICT BOARD:

MOTION:

Councilmembers Horton/Falcone to extend the application period for the vacancies on this Board and stipulate that appointments will be made no later than February 15, 2005.

VOTE:

Unanimous voice vote.

LOWER WESTSIDE CENTER ADVISORY COMMITTEE:

ACTION:

By consensus, the Council appointed Victor Aguilar, Humberto Ortiz, Joseph Quiroga, and Wendy Vanessa Terán, and reappointed Elvira Quiroga and Josephine Tapia.

(Cont'd)

18. (Cont'd)

LOWER WESTSIDE CENTER ADVISORY COMMITTEE (Cont'd):

APPOINTMENTS:

Victor Aguilar and Humberto Ortiz were appointed as Public at Large representatives for terms expiring December 31, 2005; Elvira Quiroga was reappointed as a Public at Large representative for a term expiring December 31, 2008; Joseph Quiroga and Wendy Vanessa Terán were appointed as representatives of Census Tract 12.04 for terms expiring December 31, 2007; and Josephine Tapia was reappointed as a representative of Census Tract 12.04 for a term expiring December 31, 2008.

LIBRARY BOARD:

MOTION:

Councilmembers Secord/Barnwell to appoint David Vernon Thomas.

VOTE:

Unanimous voice vote.

APPOINTMENT:

David Vernon Thomas was appointed for a term expiring December 31, 2008.

HISTORIC LANDMARKS COMMISSION:

MOTION:

Councilmembers Schneider/Falcone to appoint Fermina B. Murray to the Professional Architectural Historian category.

VOTE:

Unanimous voice vote.

NOMINEES FOR PUBLIC AT LARGE CATEGORY:

Louise Boucher and Steve Hausz.

VOTE:

- For Boucher: Councilmember Williams.
- For Hausz: Councilmembers Barnwell, Falcone, Horton, Schneider, Secord, Mayor Blum.

APPOINTMENTS:

Fermina B. Murray was appointed to the Professional Architectural Historian category (non-City resident) and Steve Hausz was reappointed as a Public at Large representative, for terms expiring December 31, 2008.

(Cont'd)

18. (Cont'd)

HARBOR COMMISSION:

MOTION:

Councilmembers Secord/Falcone to reappoint Charles E. Watson.

VOTE:

Unanimous voice vote.

APPOINTMENT:

Charles E. Watson was reappointed for a term expiring December 31, 2008.

FRANKLIN CENTER ADVISORY COMMITTEE:

MOTION:

Councilmembers Schneider/Falcone to appoint Ken Rivas and Nubia Siordia.

VOTE:

Unanimous voice vote.

APPOINTMENTS:

Ken Rivas was appointed as a representative of the Public at Large for a term expiring December 31, 2006, and Nubia Siordia was appointed as a representative of Census Tract 8.02 for a term expiring December 31, 2008.

FIRE AND POLICE PENSION COMMISSION:

MOTION:

Councilmembers Barnwell/Schneider to reappoint Michael K. Jacobs.

VOTE:

Unanimous voice vote.

APPOINTMENT:

Michael K. Jacobs was reappointed for a term expiring December 31, 2008.

Councilmember Secord left the meeting at 3:26 p.m.

(Cont'd)

18. (Cont'd)

FIRE AND POLICE COMMISSION:

MOTION:

Councilmembers Falcone/Schneider to appoint Leonard E. Atkins.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

APPOINTMENT:

Leonard E. Atkins was appointed for a term expiring December 31, 2008.

DOWNTOWN PARKING COMMITTEE:

MOTION:

Councilmembers Horton/Barnwell to appoint Randy Rowse and reappoint Bill Medel, Marshall Rose, and Kate Schwab.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

APPOINTMENTS:

Randy Rowse was appointed for a term expiring December 31, 2005, and Bill Medel, Marshall Rose, and Kate Schwab were reappointed for terms expiring December 31, 2008.

CREEKS ADVISORY COMMITTEE:

MOTION:

Councilmembers Falcone/Barnwell to reappoint Myfawny DeVoe and David Pritchett, and appoint Michael Jordan, Jeff K. Phillips, and Daniel Wilson.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

MOTION:

Councilmembers Falcone/Williams to reappoint Robert Almy.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

(Cont'd)

18. (Cont'd)

CREEKS ADVISORY COMMITTEE (Cont'd):

APPOINTMENTS:

Robert Almy was reappointed as the County Clean Water Program representative for a term expiring December 31, 2005; Myfawny DeVoe and David Pritchett were reappointed to the Environmental/Land Use Expertise category, Michael Jordan was appointed to the Business Community category, Jeff K. Phillips was appointed to the Environmental/Land Use Expertise category, and Daniel Wilson was appointed to the Community at Large category, all for terms expiring December 31, 2006.

COMMUNITY EVENTS AND FESTIVALS COMMITTEE:

MOTION:

Councilmembers Schneider/Williams to appoint Barbara H. Burger and Lee Moldaver, and reappoint Steven Engles.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

APPOINTMENTS:

Barbara H. Burger was appointed to the Cultural Entity category and Steven B. Engles was reappointed as a representative of Public at Large, for terms expiring December 31, 2006; Lee Moldaver was appointed as an Alternate for a term expiring December 31, 2005.

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE:

MOTION:

Councilmember Schneider/Mayor Blum to appoint Bonnie Elliott and reappoint Josephine Tapia.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

APPOINTMENTS:

Bonnie Elliott was appointed as a Disabled Community representative and Josephine Tapia was reappointed as a representative of the Lower Westside Neighborhood, for terms expiring December 31, 2008.

(Cont'd)

18. (Cont'd)

ARCHITECTURAL BOARD OF REVIEW:

MOTION:

Councilmembers Schneider/Barnwell to reappoint Randy Mudge.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

MOTION:

Councilmembers Barnwell/Falcone to reappoint Stephanie K. Christoff.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

NOMINEES FOR PUBLIC AT LARGE CATEGORY:

Jé Goolsby, Mark Wienke.

VOTE:

- For Goolsby: Councilmember Williams.
- For Wienke: Councilmembers Barnwell, Falcone, Horton, Schneider, Mayor Blum.

APPOINTMENTS:

Stephanie K. Christoff was reappointed to the Professional Qualifications category, Randy Mudge was reappointed to the Landscape Architect category, and Mark Wienke was appointed as a representative of the Public at Large, all for terms expiring December 31, 2008.

AIRPORT COMMISSION:

NOMINEES:

William Gilbert, Paul Trent.

VOTE:

- For Gilbert: Councilmembers Schneider, Williams, Mayor Blum.
- For Trent: Councilmembers Barnwell, Falcone, Horton.

SECOND VOTE:

- For Gilbert: Councilmembers Falcone, Schneider, Williams, Mayor Blum.
- For Trent: Councilmembers Barnwell, Horton.

(Cont'd)

18. (Cont'd)

AIRPORT COMMISSION (Cont'd):

APPOINTMENT:

William R. Gilbert was reappointed for a term expiring
December 31, 2008.

RECESS

3:39 p.m. – 3:55 p.m.

CLOSED SESSIONS

19. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)

RECOMMENDATION: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiators, David Cassidy, Liebert Cassidy Whitmore, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Firefighters' Association, Police Management Association, Police Officers' Association, General Employees' Bargaining Unit, Treatment and Patrol Bargaining Units, and Supervisory Employees' Bargaining Unit.

Scheduling: Duration, 1 hour; anytime

Report: None anticipated

DOCUMENTS:

December 7, 2004, Assistant City Administrator's report.

TIME:

3:55 p.m. – 4:55 p.m. Councilmember Secord was absent.

No report made.

20. SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION -
GOVERNMENT CODE SECTION 54957 (440.05)

RECOMMENDATION: That Council hold a Closed Session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, 1 hour; anytime

Report: None anticipated

(Cont'd)

20. (Cont'd)

DOCUMENTS:

December 7, 2004, report from Mayor Blum.

TIME:

4:55 p.m. – 5:55 p.m. Councilmember Secord was absent.

No report made.

RECESS

5:55 p.m. – 6:03 p.m.

Mayor Blum presiding.

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

Councilmembers absent: Secord.

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

PUBLIC COMMENT

No one wished to speak.

PUBLIC HEARINGS

21. SUBJECT: APPEAL OF PLANNING COMMISSION DECISION FOR 425 STANLEY DRIVE (640.07)

RECOMMENDATION: That Council deny the appeal of the Stanley Drive Homeowners on the proposed addition at 425 Stanley Drive, and uphold the decision of the Modification Hearing Officer to permit a first-floor addition to the existing residence to be located within the required 20-foot front yard setback.

DOCUMENTS:

- December 7, 2004, Community Development Director's report.
- October 18, 2004, letter of appeal.
- Affidavit of Publication.
- December 1, 2004, letter from Derek Westen, attorney representing the Appellant.
- The following communications in support of the appeal:
 - September 23, 2004, letter from Arborist Duke McPherson.
 - November 11, 2004, letter from Robert Myers.
 - December 6, 2004, letters from Allied Neighborhoods Association; M.L. and Alice Grant; Thomas and Arthea Hermann; James Kahan.

(Cont'd)

21. (Cont'd)

DOCUMENTS (Cont'd):

- December 7, 2004, letter from S.K. Ridgeway.
- December 7, 2004, e-mails from Bob Myers; Jacqueline Roston.
- The following communications supporting the proposed project:
 - October 20, 2004, letter from Arborist Peter Winn.
 - November 28 and December 7, 2004, letters from John Calder.
 - Undated letters from John Lenker; Paul Hernadi; Craig Shallenberger.
 - Petition signed by Douglas Dafoe.
 - Zoning Information Report for subject property, dated April 11, 2002.

PUBLIC HEARING OPENED:

6:04 p.m.

SPEAKERS:

- Staff: Assistant Planner Roxanne Milazzo, Senior Planner Danny Kato, City Attorney Stephen Wiley.
- Planning Commission: Commissioner William Mahan.
- Appellant: Attorney Derek Westen.
- Applicant: Architect Christine Pierron, Kristopher Zacharias, Samantha Zacharias.
- Members of the Public: Brian Parrott; Justin Paul; Bruce Bartlett; David Leggett; John DeVore; Anna DeVore; Mary Walsh; Edward Hayes; Eric Alen; Beatrice Beck; Joe Guzzardi; Danielle Stone; Don Cole; Jim Kahan, Allied Neighborhoods Association; Dennis Cowgill; Joyce Hobson; James Smith; Michael Stichler; Duke McPherson; Warren Schlueter; Barbara Wagner; Daryl Bulthuis; Joyce Hobson (on behalf of John Lenker); Dennis Cowgill (on behalf of John and Joan Calder); Martin Scharlemann; Mike Ratway.

PUBLIC HEARING CLOSED:

7:56 p.m.

MOTION:

Councilmembers Barnwell/Williams to uphold the appeal, based on a determination that the Council finds there is insufficient evidence to support the findings necessary to grant the proposed modification.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:19 p.m.

SANTA BARBARA CITY COUNCIL

JAMES L. ARMSTRONG
CITY CLERK

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK