



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING January 31, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Finance Committee met at 12:30 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 Schneider.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

Speakers: Kenneth Loch; K8 Longstory (Kate Smith); Wilson Sherman, Paper Not Plastic, Washington Elementary School; Katie Buckley, Paper Not Plastic, Wilson Elementary School; Cathy King, Community Environmental Council; Penny Owens, Santa Barbara ChannelKeeper; Richard Robinson.

ITEMS REMOVED FROM CONSENT CALENDAR

Councilmember Murillo stated that she would abstain from voting on the following item since she was not serving as a Councilmember for the meeting of December 6, 2011.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of December 6, 2011, December 20, 2011 (cancelled), December 27, 2011 (cancelled), and January 3, 2012 (cancelled).

Motion:

Councilmembers White/Hotchkiss to approve the recommendation.

Vote:

Unanimous voice vote (Abstention: Councilmember Murillo; Absent: Councilmember Francisco).

CONSENT CALENDAR (Item Nos. 2 - 4 and 6)

Motion:

Councilmembers White/House to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

2. Subject: December 31, 2011, Investment Report And December 31, 2011, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2011, Investment Report; and
- B. Accept the December 31, 2011, Fiscal Agent Report.

Action: Approved the recommendations (January 31, 2012, report from the Finance Director).

3. Subject: Emergency Purchase Orders For Tierra Contracting, Inc., And Lash Construction For Sewer Main Repair (530.04)

Recommendation: That Council approve after-the-fact Emergency Purchase Orders to Tierra Contracting, Inc., for multiple emergency repairs made to damaged public sewer mains, in an amount of \$55,000; and to Lash Construction for various emergency repairs to damaged public sewer mains in an amount of \$35,000.

Action: Approved the recommendation (January 31, 2012, report from the Public Works Director).

4. Subject: Contract For Professional Services For El Estero Drain Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a Standard City Professional Services contract (in a form acceptable to the City Attorney) with Arcadis U.S., Inc., in the amount of \$73,935 to prepare a Biological Assessment/Survey Report, Remedial Action Plan and Restoration Plan for the El Estero Drain Project at the El Estero Wastewater Treatment Plant.

Action: Approved the recommendation; Contract No. 23,980 (January 31, 2012, report from the Public Works Director).

Item No. 5 appears in the Redevelopment Agency minutes.

NOTICES

6. The City Clerk has on Thursday, January 26, 2012, 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.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee member White reported that the Committee met to hear a report on the December 31, 2011, Investment Report and the December 31, 2011, Fiscal Agent Report, both of which were approved by the Council as part of its Consent Calendar (Agenda Item No. 2).

Councilmember Francisco entered the meeting at 2:22 p.m.

Item No. 7 appears in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

8. Subject: Concept Review Of Santa Barbara Bowl Box Office Plaza Project And Abandonment Of Lowena Drive (530.04)

Recommendation: That Council review the proposed Santa Barbara Bowl Box Office Plaza Project and provide comments specific to the proposed abandonment of a portion of Lowena Drive.

(Cont'd)

8. (Cont'd)

Documents:

- January 31, 2012, report from the Assistant City Administrator/Community Development Director.
- Affidavit of Publication.
- January 31, 2012, PowerPoint presentation prepared and made by Staff.
- January 27, 2012, email communication from Anne Davenport Versola.

Public Comment Opened:
2:55 p.m.

Speakers:

- Staff: Associate Planner Kathleen Kennedy; Principal Engineer John Ewasiuk.
- Members of the Public: Peggy Martens; Richard Kelly, Board of Directors, Santa Barbara Bowl; Toby Plough, Founding Member, Board of Directors, Santa Barbara Bowl; Robert Pearson.
- Applicant: Trish Allen, Suzanne Elledge Planning and Permitting Services; Rick Boller, Executive Director, Santa Barbara Bowl Foundation; Eric Lassen, Chairman of the Facilities Committee, Santa Barbara Bowl Foundation.

Public Comment Closed:
3:49 p.m.

By consensus, the Council heard the report and Staff responded to their questions and comments.

RECESS

3:49 p.m. - 3:57 p.m. City Administrator James Armstrong and Councilmembers Francisco and House were absent when the Council reconvened. Assistant City Administrator Paul Casey was present.

PUBLIC HEARINGS

9. Subject: Appeal Of Planning Commission Decision For 415 Alan Road (640.07)

Recommendation: That Council:

- A. Hear the appeal of Steven Amerikaner, agent for Mr. and Mrs. Andrew Seybold, of the Planning Commission's denial of the proposed Lot Area Modification, Tentative Subdivision Map, and Coastal Development Permit, and the Planning Commission's recommendation on the requested adoption of the General Plan, Zoning, and Coastal Program Amendments for the property located at 415 Alan Road; and

(Cont'd)

9. (Cont'd)

B. Take one of the following actions:

1. Deny the appeal, thereby upholding the Planning Commission's denial of the project, and direct staff to return with findings and decisions; or
2. Uphold the appeal, and:
 - a. 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 the Rezoning of Property at 415 Alan Road - Parcel B;
 - b. At time of ordinance adoption, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving A Local Coastal Program Amendment for the Property at 415 Alan Road - Parcel B; and
 - c. Approve the following applications contingent upon final adoption of the ordinance and resolutions, making Findings of Approval, subject to the Conditions of Approval.
 - i. A Lot Area Modification to allow proposed Parcel A to be less than the required lot size of 1.5 acres that is required for lots with slopes of 10%-20% (SBMC §28.92.026.A);
 - ii. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC §27.07); and
 - iii. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

The titles of the ordinance and resolution were read.

Documents:

- January 31, 2012, report from the Assistant City Administrator/Community Development Director.
- Proposed Ordinance
- Proposed Resolution.
- Affidavit of Publication.
- January 31, 2012, PowerPoint presentation prepared and made by Staff.
- January 31, 2012, PowerPoint presentation prepared and made by the Appellant.

Public Comment Opened:

3:59 p.m.

Councilmember House returned to the meeting at 4:02 p.m. Councilmember Francisco returned to the meeting at 4:03 p.m.

(Cont'd)

9. (Cont'd)

Speakers:

- Staff: Senior Planner Danny Kato.
- Planning Commission: Commissioners Sheila Lodge and Bruce Bartlett.
- Applicant/Appellant: Steven Amerikaner, Andrew Seybold.
- Members of the Public: Gil Barry.

Public Comment Closed:

4:54 p.m.

Motion:

Councilmembers House/Murillo to approve recommendation B.2.

Vote:

Majority voice vote (Noes: Councilmember White).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at meetings of the Parks and Recreation Commission, and Transportation and Circulation Committee.
- Councilmember Rowse spoke about his attendance at the Downtown Parking Committee meeting.
- Councilmember White said that he attended the Central Coast Water Authority meeting in Councilmember Francisco's absence, and also reported on his attendance at the Fire and Police Commission meeting.
- Mayor Schneider thanked City Staff for their work in preparation of the Santa Barbara Film Festival.

RECESS

Mayor Schneider recessed the meeting at 5:03 p.m. in order for the Council to reconvene in closed session for Agenda Items Nos. 10 - 12, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

10. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General bargaining unit, the Supervisory bargaining unit, and the Police Management bargaining unit, and regarding discussions with confidential employees and unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

(Cont'd)

10. (Cont'd)

Documents:

January 31, 2012, report from the Assistant City Administrator/
Administrative Services Director.

Time:

5:05 p.m. - 5:40 p.m.

No report made.

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

Recommendation: That Council hold a closed session to consider initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 31, 2012, report from the City Attorney.

Time:

5:40 p.m. - 5:55 p.m.

No report made.

12. 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 Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 31, 2012, report from the City Attorney.

Time:

5:55 p.m. - 6:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK