



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 20, 2007 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 2:01 p.m. (The Finance Committee met at 12:00 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.

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring November 14, 2007, As World Diabetes Day (120.04)

(Continued from November 13, 2007)

Action: Proclamation presented to Ellen Goodstein, representing the Board of Trustees of the Sansum Diabetes Research Institute.

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 November 30, 2007.

(Continued from November 13, 2007)

(Cont'd)

2. (Cont'd)

Documents:

November 13, 2007, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong.

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

25-Year Pin

Jon "Rocky" Peebles, Public Works

20-Year Pin

Billy Goodnick, Parks and Recreation

Hazel Johns, Airport

15-Year Pin

Kristin Barrera, Police

Billy Wright, Public Works

Frank Gomez, Public Works

10-Year Pin

Kristy Schmidt, City Administrator's Office

Suzanne Johnston, Community Development

Scott Riedman, Waterfront

5-Year Pin

Erin Damianakes, Police

Barbara Toohey, Police

Jaime Herrera, Public Works

Catherine Pare, Public Works

Nicholas Paxton, Library

**PUBLIC COMMENT**

Speakers: Kenneth Loch.

**ITEMS REMOVED FROM CONSENT CALENDAR**

14. Subject: 561 West Mountain Drive Subdivision Approval (640.07)

Recommendation: That Council:

- A. Grant the appeal of Craig and Suzan Christenson and revise the Planning Commission's decision as directed by the Council during the July 24, 2007 appeal hearing; and

(Cont'd)

14. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Lot Frontage Modifications (3), a Public Street Waiver, Neighborhood Preservation Ordinance Findings and a Tentative Subdivision Map for an Application of Brent Daniels, L & P Consultants, agent for Jorgensen Ranch, LLC, 561 West Mountain Drive (MST2004-00206).

Documents:

- November 20, 2007, report from the Acting Community Development Director.
- Proposed Resolution.
- November 19, 2007, letter from the Appellant.
- November 19, 2007, letters from Norm and Cassie Jane Hendry; John W. Warnock.
- Affidavit of Publication.

The title of the resolution was read.

Speakers:

- Staff: Project Planner Allison De Busk, City Attorney Stephen Wiley.
- Appellant: Craig Christenson.
- Applicant: Brent Daniels.
- Members of the Public: John Warnock, Cody Cammbell, Randy Wade.

Motion:

Councilmembers Williams/Barnwell to approve the recommendations and adopt Resolution No. 07-086, revised to require that the ultimate height of the building on Lot 1 be reduced by 5 feet.

Vote:

Unanimous roll call vote.

17. Subject: Rejection Of Mission Street At Route 101 Class II Bike Lane And Sidewalk Improvements Project Bids (530.04)

Recommendation: That Council:

- A. Reject all bids for construction of the Mission Street at Route 101 Class II Bike Lane and Sidewalk Improvements Project (Project), and direct staff to re-bid the Project; and
- B. Authorize the General Services Manager to increase the Design Services Contract No. 21,811 with MNS Engineers (MNS), by \$66,000 to cover the cost of additional services to make design changes and re-bid.

(Cont'd)

17. (Cont'd)

Documents:

November 20, 2007, report from the Acting Public Works Director.

Speakers:

Staff: Principal Engineer Homer Smith.

Motion:

Councilmembers House/Horton to approve the recommendations.

Vote:

Majority voice vote (Noes: Councilmembers Falcone, Williams).

**CONSENT CALENDAR (Item Nos. 3 - 13, 15, 16, 18 – 20, 23, and 24)**

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of October 23 and 30, the regular meeting of November 6 (cancelled due to the holding of the stand-alone election), and the special meeting of November 8, 2007.

Action: Approved the recommendation.

4. Subject: September 30, 2007, Investment Report And September 30, 2007, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the September 30, 2007, Investment Report; and
- B. Accept the September 30, 2007, Fiscal Agent Report.

(Continued from November 13, 2007)

Action: Approved the recommendations (November 13, 2007, report from the Finance Director).

5. Subject: Purchase Order For Drafting Services For Water And Wastewater Main Improvement Projects (540.06)

Recommendation: That Council authorize the General Services Manager to issue a Purchase Order to Penfield & Smith in the amount of \$45,362 for drafting services on the Water and Wastewater Main Improvement Projects, Fiscal Year 2008 and expenditures up to \$4,500 to cover any cost increases that may result from change orders for extra work.

(Continued from November 13, 2007)

Action: Approved the recommendation (November 13, 2007, report from the Acting Public Works Director).

6. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey (USGS) for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2007, through October 31, 2008, with a City cost share of \$101,300.

(Continued from November 13, 2007)

Action: Approved the recommendation; Agreement No. 22,609 (November 13, 2007, report from the Acting Public Works Director).

7. Subject: Introduction Of Ordinance For 2007 Fire Code Adoption (520.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04, Adopting by Reference the 2006 Edition of the International Fire Code, the 2007 California Fire Code, Appendix Chapter 1, Appendix Chapter 4 and Appendices B, C and H of Said Codes; Adopting Local Amendments to Said Codes; and Repealing Ordinance No. 5257 (Adoption of the Previous Uniform Fire Code).

(Continued from November 13, 2007)

Action: Approved the recommendation (November 13, 2007, report from the Fire Chief; proposed ordinance).

8. Subject: Introduction Of 2007 State Building Codes Ordinance (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Ordinance No. 5256 in its Entirety and Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California Administrative Code, 2007 Edition; the California Building Code, 2007 Edition; the Uniform Housing Code, 1997 Edition; the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; the California Plumbing Code, 2007 Edition; the California Mechanical Code, 2007 Edition; the California Electrical Code, 2007 Edition; the California Historical Building Code, 2007 Edition; the California Existing Building Code, 2007 Edition; and the California Energy Code, 2007 Edition; Adopting Local Revisions to Said Codes; and Adopting, Deleting, and Amending Certain Appendix Chapters of Said Codes.

(Continued from November 13, 2007)

Action: Approved the recommendation (November 13, 2007, report from the Acting Community Development Director; proposed ordinance).

9. Subject: Capital Improvement Projects First Quarter Report For Fiscal Year 2008 (230.01)

Recommendation: That Council receive, for information only, the Capital Improvement Projects (CIP) First Quarter Report For Fiscal Year 2008.

(Continued from November 13, 2007)

Action: Approved the recommendation (November 13, 2007, report from the Acting Public Works Director).

10. Subject: Notice Of Completion For The Area B Pavement Preparation Project (530.04)

Recommendation: That Council accept the work completed by Lash Construction, Inc., Contract No. 22,438, for the Area B Pavement Preparation Project, Bid No. 3499, for planned locations in the final contract amount of \$510,237.94, including approved changes, and approve filing of a Notice of Completion.

(Continued from November 13, 2007)

Action: Approved the recommendation (November 13, 2007, report from the Acting Public Works Director).

11. Subject: Notice Of Completion For The Chapala Street Intersection Improvement Project (530.04)

Recommendation: That Council accept the work completed by Granite Construction Co., Contract No. 22,202, for the Chapala Street Intersection Improvement Project, Bid No. 3480, located at the intersections of Chapala and Gutierrez Streets, and Chapala and De La Guerra Streets, in the final contract amount of \$811,766.20, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (November 20, 2007, report from the Acting Public Works Director).

12. Subject: October 2007 Investment Report (260.02)

Recommendation: That Council accept the October 2007 Investment Report.

Action: Approved the recommendation (November 20, 2007, report from the Finance Director).

13. Subject: Introduction Of Ordinance For Agreement For Construction And Operation Of Firestone Road Lift Station And Collection System Facilities At The Airport (540.13)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute, subject to approval of the City Attorney, an Agreement for Construction and Operation of Firestone Road Lift Station and Collection System Facilities between the City of Santa Barbara and Goleta Sanitary District at an estimated cost of \$2,811,950; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Agreement for Construction and Operation of Firestone Road Lift Station and Collection System Facilities Between the City of Santa Barbara and the Goleta Sanitary District, Dated January 3, 2008, at the Airport.

Action: Approved the recommendations (November 20, 2007, report from the Airport Director; proposed ordinance).

15. Subject: Parks And Recreation Community Foundation Annual Report (570.05)

Recommendation: That Council receive the Annual Report from the Parks and Recreation Community (PARC) Foundation for the period September 1, 2006, through August 31, 2007.

Action: Approved the recommendation (November 20, 2007, report from the Parks and Recreation Director).

16. Subject: Approval Of Map And Execution Of Agreements For 2530 Mesa School Lane (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,729 by Harry Wright, for a subdivision located at 2530 Mesa School Lane, Santa Barbara County Assessor's Parcel Number 041-292-039, finding the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City);
- B. Authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property and an Agreement for Land Development Improvements; and
- C. Authorize the Public Works Director to execute and record a document removing the conditions of the Agreement for Land Development Improvements from the owner's chain of title upon completion of the public improvements.

Action: Approved the recommendations; Agreement Nos. 22,610 and 22,611 (November 20, 2007, report from the Acting Public Works Director).

18. Subject: Certification Of The Election Results Of The Official Canvass For The General Municipal Election Of November 6, 2007 (110.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reciting the Fact of the General Municipal Election Held on November 6, 2007, and Declaring the Results and Such Other Matters as Provided by Law.

Speakers:

Member of the Public: David Pritchett.

Action: Approved the recommendation; Resolution No. 07-087 (November 20, 2007, report from the Administrative Services Director).

19. Subject: Cancellation Of Certain Council And Redevelopment Agency Meetings In 2008 (120.09)

Recommendation: That Council and the Redevelopment Agency find that there will not be a quorum of the two bodies on the following dates: January 22, February 19, May 27, July 8, August 26, September 2, December 2, and December 30, 2008, and January 6, 2009.

Action: Approved the recommendation (November 20, 2007, report from the Assistant City Administrator).



20. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 601 E. Anapamu Street

Recommendation: That Council:

- A. Set the date of January 29, 2008, at 2:00 p.m. for hearing the appeal filed by Cheri Rae McKinney on behalf of La Muralla Owners Association of the Architectural Board of Review approval of an application by agent Karen Quinn, BDC Management Company, and located at 601 E. Anapamu Street, Assessor's Parcel No. 029-142-019, R-3 Multi-Family Zone, General Plan Designation: Residential - 12 units per acre. The project proposes new site repairs and improvements that include: landscaping, walkways, retaining walls, stairs, minor pool repair work, and removal and replacement of various trees on the property and within the front yard setback; and
- B. Set the date of January 28, 2008, at 1:30 p.m. for a site visit to the property located at 601 E. Anapamu Street.

Speakers:

Appellant: Cheri Rae McKinney.

Action: Approved the recommendations (October 29, 2007, letter of appeal).

Agenda Item Nos. 21 and 22 appear in the Redevelopment Agency minutes.

## NOTICES

23. The City Clerk has on Thursday, November 15, 2007, 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.
24. Cancellation of the regular City Council meeting of November 27, 2007, 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 three items: 1) October 2007 Investment Report - this report was accepted by the Council as part of this Agenda's Consent Calendar (Item No. 12); 2) Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007 - this report will be considered by Council as Agenda Item No. 25; and 3) a proposed agreement for an actuarial valuation of the City's post-retirement benefits - this agreement was approved by the Committee and will be submitted to Council for its consideration in the near future.

Councilmember Williams left the meeting at 3:04 p.m. and returned at 3:15 p.m.

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

### **FINANCE DEPARTMENT**

25. Subject: Comprehensive Annual Financial Report (CAFR) For The Fiscal Year Ended June 30, 2007 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2007; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2007.

Documents:

- November 20, 2007, report from the Finance Director.
- Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007.

Speakers:

Staff: Accounting Manager Rudolf Livingston, Finance Director Robert Peirson.

Motion:

Councilmembers Horton/Schneider to approve Recommendation B.

Vote:

Unanimous voice vote.

### **PARKS AND RECREATION DEPARTMENT**

26. Subject: Update On Youth Violence Issues And Prevention Programs Implemented By Parks And Recreation And Police Departments (520.04)

Recommendation: That Council hear a presentation from Parks and Recreation, and Police Department staff on the status of youth violence and youth programs.

Documents:

November 20, 2007, report from the Parks and Recreation Director and Police Chief.

(Cont'd)

26. (Cont'd)

Speakers:

- Staff: Deputy Police Chief Richard Glaus, Police Sergeant Rafael Molina, Police Captain Edward Szeyller, Parks and Recreation Director Nancy Rapp, Youth Activities Supervisor Terry Brown, Community Services Supervisor Antonio Velasquez.
- Member of the Public: Silvia Uribe.

By consensus, the Council received the report.

## **MAYOR AND COUNCIL REPORTS**

27. 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 4, 2007, at 6:00 p.m.  
(Estimated Time 3:30 p.m.)

Documents:

November 20, 2007, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Architectural Board of Review:

Clay Aurell  
Christopher Manson-Hing  
Gary Feldstein

Arts Advisory Committee:

Judy Nilsen  
Darian Bleecher

Building and Fire Code Board of Appeals:

Steve Metsch

Civil Service Commission:

Alan T. Kasehagen  
Donna Lewis

Community Development and Human Services Committee:

Michael Getto  
Veronica Loza

Creeks Advisory Committee:

Lee Moldaver  
Roger Schlueter  
Daniel Hochman  
Dorothy Blasing

(Cont'd)

27. (Cont'd)

Speakers (Cont'd):

Downtown Parking Committee:

Tom Williams

Fire and Police Commission:

John Lauritsen

Daniel Signor

Historic Landmarks Commission:

Susette Naylor

Library Board:

Dorothy Tucker Brilliant

Planning Commission:

Charmaine Curtis Jacobs

Rental Housing Mediation Task Force:

Silvio Di Loreto

By consensus, the Council continued the interviews to December 4, 2007, at 6:00 p.m. (Recommendation B).

**RECESS**

6:00 p.m. - 6:29 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.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

CITY ADMINISTRATOR

28. Subject: Community Environmental Council Presentation On Regional Energy Blueprint (630.06)

Recommendation: That Council:

- A. Receive a presentation from the Community Environmental Council (CEC) on "A New Energy Direction: A Blueprint for Santa Barbara County"; and
- B. Forward the regional energy plan to the Sustainability Council Subcommittee for review and discussion.

(Cont'd)

28. (Cont'd)

Documents:

November 20, 2007, report from the City Administrator.

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson, City Administrator James Armstrong.
- Community Environmental Council: Executive Director David Davis, Energy Programs Director Tam Hunt, Board President Ivor John.

Motion:

Councilmembers Barnwell/Falcone to approve Recommendation B.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:38 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

\_\_\_\_\_  
MARTY BLUM  
MAYOR

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK