



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING December 18, 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, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Grant House.

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

### PUBLIC COMMENT

Speakers: Mayor Blum introduced Kevin Crisp, a UCSB graduate who spoke about his employment as a State Department Foreign Service Officer currently serving in Iraq; other speakers were Wayne Scoles, Bob Hansen, Phil Walker, Michael Self, and Philip Marteney.

### CONSENT CALENDAR (Item Nos. 1 – 5, 7 – 13, 15 and 16)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember House).

1. Subject: Adoption Of Ordinance For Rezone Of 1722 State Street (640.09)

Recommendation: That Council 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 in the Upper East Neighborhood.

Action: Approved the recommendation; Ordinance No. 5442.

2. Subject: Resolution Certifying Availability Of Matching Funds For Bicycle Transportation Account Grant (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying that the City Will Make Available the Required Ten Percent Local Share of Funding, \$10,000, for the Green Bike Needs Assessment Project (Project) Should a Bicycle Transportation Account Award be Made in 2008.

Action: Approved the recommendation; Resolution No. 07-088 (December 18, 2007, report from the Acting Public Works Director; proposed resolution).

3. Subject: November 2007 Investment Report (260.02)

Recommendation: That Council accept the November 2007 Investment Report.

Action: Approved the recommendation (December 18, 2007, report from the Finance Director).

4. Subject: Fiscal Year 2008 First Quarter Review (250.02)

Recommendation: That Council accept the Fiscal Year 2008 Interim Financial Statements for the Three Months Ended September 30, 2007.

Action: Approved the recommendation (December 18, 2007, report from the Finance Director).

5. Subject: Fiscal Year 2008 Interim Financial Statements For The Four Months Ended October 31, 2007 (250.02)

Recommendation: That Council accept the Fiscal Year 2008 Interim Financial Statements for the Four Months Ended October 31, 2007.

Action: Approved the recommendation (December 18, 2007, report from the Finance Director).

7. Subject: Approval Of Map And Execution Of Agreements For 406-420 Paseo Del Descanso (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record: 1) Final Map No. 20,731 for a subdivision at 406-420 Paseo Del Descanso, finding the Final Map in conformance with the state Subdivision Map Act, the City's Subdivision Ordinance, and the tentative subdivision map, and 2) other standard agreements relating to the approved subdivision.

Action: Approved the recommendation; Agreement Nos. 22,629 - 22,634 (December 18, 2007, report from the Acting Public Works Director).

8. Subject: Contract For Traffic Analysis Consultant Services For The Mission Creek Bridge Projects (530.05)

Recommendation: That Council authorize the Public Works Director to execute a contract with DKS Associates (DKS) in the amount of \$58,150 for professional transportation planning services for the Haley, Ortega, and Cota Street Bridge Projects, and approve expenditures of up to \$5,815 to DKS for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 22,635 (December 18, 2007, report from the Acting Public Works Director).

9. Subject: Sole Source Asphalt Vendor For Street Maintenance (530.04)

Recommendation: That Council find it in the City's best interest to authorize the General Services Manager to issue a blanket purchase order within approved budgets to Vulcan Materials Company (Vulcan) as the sole-source supplier for asphalt for the remainder of Fiscal Year 2008, with four one-year renewal options, without bids, as authorized by Municipal Code Section 4.52.080(k).

Action: Approved the recommendation (December 18, 2007, report from the Acting Public Works Director).

10. Subject: Purchase Order With Rincon Broadcasting LLC To Broadcast Clean Creek Messages (540.14)

Recommendation: That Council authorize the General Services Manager to issue a purchase order in the amount of \$28,344 to Rincon Broadcasting LLC to broadcast clean creek messages as part of a public awareness campaign on water pollution prevention.

Action: Approved the recommendation (December 18, 2007, report from the Parks and Recreation Director).

11. Subject: Increase To Change Order Authority For Reservoir No. 1 Structural Repair And Groundwater Control Project (540.09)

Recommendation: That Council increase the Public Works Director's authority to approve expenditures from \$78,700 to \$178,700 to cover anticipated cost increases from extra work for construction of the Reservoir No. 1 Structural Repair and Groundwater Control Project, Contract No. 22,467.

Action: Approved the recommendation (December 18, 2007, report from the Acting Public Works Director).

12. Subject: Self Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive a summary of the City's workers' compensation liabilities as of June 30, 2007.

Action: Approved the recommendation (December 18, 2007, report from the Finance Director).

13. Subject: Set A Date For Public Hearing Regarding Appeal of Historic Landmarks Commission Denial For 517 Chapala Street

Recommendation: That Council:

- A. Set the date of March 4, 2008, at 2:00 p.m. for hearing the appeal filed by Peikert Group Architects, Agent for H&R Investments, of the decision by the Historic Landmarks Commission to deny an application for property owned by Montecito Bank & Trust, Trustee, and located at 517 Chapala Street, Assessor's Parcel No. 037-163-007, C-2 Commercial Zone, General Plan Designation: General Commerce. The project proposes a lot merger and the construction of a three-story mixed-use development with six two-bedroom residential condominium units and two commercial condominium spaces; and
- B. Set the date of March 3, 2008, at 1:30 p.m. for a site visit to the property located at 517 Chapala Street.

Action: Approved the recommendations (December 5, 2007, letter of appeal).

Agenda Item No. 14 appears in the Redevelopment Agency minutes.

## **NOTICES**

15. The City Clerk has on Thursday, December 13, 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.

16. Cancellation of the regular City Council meeting of December 25, 2007, and the regular City Council and Redevelopment Agency meetings of January 1, 2008, due to lack of a quorum.

This concluded the Consent Calendar.

#### **ITEM REMOVED FROM CONSENT CALENDAR**

6. Subject: Approval Of Map And Execution Of Agreements For 1533 West Valerio Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record: 1) Parcel Map No. 20,755 for a two-lot subdivision at 1533 West Valerio Street, finding the Parcel Map in conformance with the state Subdivision Map Act, the City's Subdivision Ordinance, and the tentative subdivision map, and 2) other standard agreements relating to the approved subdivision.

Documents:

December 18, 2007, report from the Acting Public Works Director.

Motion:

Councilmembers Falcone/Barnwell to approve the recommendation; Agreement Nos. 22,626 - 22,628.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams; Absent: Councilmember House).

#### **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Committee met to review the following financial reports: 1) Redevelopment Agency Interim Financial Statements for the Four Months Ended October 31, 2007; 2) November 2007 Investment Report; 3) Fiscal Year 2008 First Quarter Review; and 4) City Interim Financial Statements for the Four Months Ended October 31, 2007. All reports were approved by the Council as part of this Agenda's Consent Calendar (Item Nos. 14, 3, 4 and 5, respectively). The Committee also received a report and recommendations from the Arts Advisory Committee regarding the City's Arts Advisory Grant Review Process. Finally, the Committee considered the option of televising Finance Committee meetings and approved a recommendation to be forwarded to the full Council.

City Administrator Armstrong left the meeting at 2:22 p.m.; Assistant City Administrator Joan Kent took his place.

## **PUBLIC HEARINGS**

17. Subject: Appeal Of Planning Commission Approval For 3427 Sea Ledge Lane (640.07)

Recommendation: That Council deny the appeal of Ed Vernon and uphold the Planning Commission's decision to approve the Coastal Development Permit for the remodel and addition to the existing single family residence, and a modification for an "as-built" portion of an existing deck, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 034-07 (Attachment 5 to the Council Agenda Report).

### Documents:

- December 18, 2007, report from the Acting Community Development Director.
- Affidavit of Publication.

### Public Comment Opened:

2:23 p.m.

### Speakers:

- Staff: Assistant Planner Kelly Brodison, Senior Planner Jan Hubbell.
- Planning Commission: Commissioner Addison Thompson.
- Appellant: Ed Vernon.
- Applicant: Trish Allen, Suzanne Elledge Planning & Permitting Services, Inc.
- Members of the Public: Joan Brooks, Michael Weinstock, Art Bosse, Norman Caldwell.

### Public Comment Closed:

3:01 p.m.

### Motion:

Councilmembers Horton/Schneider to approve the recommendation.

### Vote:

Unanimous voice vote (Absent: Councilmember House).

## **RECESS**

3:03 p.m. - 3:16 p.m. City Administrator Armstrong returned to the meeting.

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

### **PUBLIC WORKS DEPARTMENT**

18. Subject: Annual Water Supply Management Report (540.08)

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2007 water year, finding groundwater resources are in long-term balance under the City's program for conjunctive management of groundwater.

Documents:

December 18, 2007, report from the Acting Public Works Director.

Speakers:

- Staff: Acting Water Resources Manager Rebecca Bjork, Water Conservation Coordinator Alison Jordan.
- Member of the Public: Phil Walker.

Motion:

Councilmembers Falcone/Williams to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember House).

## **MAYOR AND COUNCIL REPORTS**

19. Subject: City Advisory Group Appointments (140.05)

Recommendation: That Council:

- A. Make appointments to the City Advisory Groups; and
- B. Make a recommendation to the Mayor on the appointment to the Housing Authority Commission.

Documents:

December 18, 2007, report from the Administrative Services Director.

Architectural Board of Review:

Motion:

Councilmembers Williams/Horton to re-appoint Christopher Manson-Hing.

Vote:

Unanimous voice vote (Absent: Councilmember House).

(Cont'd)

19. (Cont'd)

Architectural Board of Review (Cont'd):

Nominees:

Clay Aurell, Gary Feldstein.

Vote:

- For Aurell: Councilmembers Barnwell, Falcone, Horton, Schneider.
- For Feldstein: Councilmember Williams, Mayor Blum.

Appointments:

Clay Aurell and Christopher Manson-Hing were re-appointed to the Architect category for terms expiring December 31, 2011.

Arts Advisory Committee:

Motion:

Councilmembers Williams/Barnwell to re-appoint Darian Bleecher and Judy Nilsen and appoint Michael Humphrey.

Vote:

Unanimous voice vote (Absent: Councilmember House.)

Appointments:

Darian Bleecher and Judy Nilsen were re-appointed, and Michael Humphrey was appointed, for terms expiring December 31, 2011.

Building and Fire Code Board of Appeals:

Motion:

Councilmembers Barnwell/Schneider to appoint Bruce Burnworth and Steve Metsch.

Vote:

Unanimous voice vote (Absent: Councilmember House.)

Appointments:

Bruce Burnworth and Steve Metsch were appointed for open terms.

Civil Service Commission:

Motion:

Councilmembers Barnwell/Falcone to re-appoint Alan Kasehagen and Donna Lewis.

Vote:

Unanimous voice vote (Absent: Councilmember House).

(Cont'd)

19. (Cont'd)

Civil Service Commission (Cont'd):

Appointments:

Alan Kasehagen and Donna Lewis were re-appointed for terms expiring December 31, 2011.

Community Development and Human Services Committee:

Motion:

Councilmembers Schneider/Horton to appoint Alice O'Connor to the Downtown Neighborhood category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Motion:

Councilmembers Falcone/Barnwell to re-appoint Veronica Loza to the Eastside Neighborhood category, appoint Michael Getto to the Senior Community category, and appoint Josephine Torres to the Westside Neighborhood category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Michael Getto was appointed to the Senior Community category for a term expiring December 31, 2011, Veronica Loza was re-appointed to the Eastside Neighborhood category for a term expiring December 31, 2011, Alice O'Connor was appointed to the Downtown Neighborhood category for a term expiring December 31, 2008, and Josephine Torres was appointed to the Westside Neighborhood category for a term expiring December 31, 2010.

Community Events and Festivals Committee:

Motion:

Councilmembers Schneider/Williams to re-appoint Jason McCarthy to the Business/Lodging/Retail Industry category and Katrina Carl to the Cultural Arts category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Katrina Carl was re-appointed to the Cultural Arts category, and Jason McCarthy was re-appointed to the Business/Lodging/Retail Industry category, for terms expiring December 31, 2011.

(Cont'd)

19. (Cont'd)

Creeks Advisory Committee:

Motion:

Councilmembers Falcone/Schneider to re-appoint Lee Moldaver and George Weber and appoint Roger Schlueter.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Motion:

Councilmembers Horton/Falcone to re-appoint Daniel Hochman to the Hotel/Lodging Industry category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Daniel Hochman, Lee Moldaver, and George Weber were re-appointed, and Roger Schlueter was appointed, for terms expiring December 31, 2011.

Downtown Parking Committee:

Motion:

Councilmembers Barnwell/Williams to re-appoint Tom Williams.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Tom Williams was re-appointed for a term expiring December 31, 2011.

Fire and Police Commission:

Motion:

Councilmembers Falcone/Schneider to appoint John Lauritsen and re-appoint Daniel Signor.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

John Lauritsen was appointed, and Daniel Signor was re-appointed, for terms expiring December 31, 2011.

(Cont'd)

19. (Cont'd)

Franklin Center Advisory Committee:

Motion:

Councilmembers Schneider/Williams to appoint Sebastian Aldana and Dan La Berge to the Public at Large category and Miguel Valle to the Neighborhood Resident or Employee category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Sebastian Aldana and Dan La Berge were appointed to the Public at Large category for terms expiring December 31, 2009, and December 31, 2010, respectively, and Miguel Valle was appointed to the Neighborhood Resident or Employee category for a term expiring December 31, 2008.

Harbor Commission:

Motion:

Councilmembers Barnwell/Falcone to re-appoint William Anikouchine and Frank Kelly.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

William Anikouchine and Frank Kelly were re-appointed for terms expiring December 31, 2011.

Historic Landmarks Commission:

Motion:

Councilmembers Williams/Barnwell to re-appoint Susette Naylor.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Susette Naylor was re-appointed to the Architect category for a term expiring December 31, 2011.

(Cont'd)

19. (Cont'd)

Housing Authority Commission:

Motion:

Councilmembers Schneider/Williams to recommend that the Mayor appoint Stanley Eisele to the Senior Tenant category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

With the Mayor's agreement, Stanley Eisele was appointed to the Senior Tenant category for a term expiring February 15, 2010.

Library Board:

Motion:

Councilmembers Williams/Schneider to re-appoint Dorothy Tucker Brilliant.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Dorothy Tucker Brilliant was re-appointed for a term expiring December 31, 2011.

Lower Westside Center Advisory Committee:

Motion:

Councilmembers Williams/Falcone to appoint Elena Cruz, Manual Cruz, and Teresa Wentz to the Neighborhood Resident or Employee category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Elena Cruz, Manual Cruz, and Teresa Wentz were appointed to the Neighborhood Resident or Employee category for terms expiring December 31, 2011, December 31, 2010, and December 31, 2011, respectively.

(Cont'd)

19. (Cont'd)

Park Commission and Recreation Commission:

Motion:

Councilmembers Williams/Falcone to re-appoint Daraka Larimore-Hall.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Daraka Larimore-Hall was re-appointed for a term expiring December 31, 2011.

Planning Commission:

Motion:

Councilmembers Horton/Barnwell to re-appoint Charmaine Curtis Jacobs and John Jostes.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Charmaine Curtis Jacobs and John Jostes were re-appointed for terms expiring December 31, 2011.

Rental Housing Mediation Task Force:

Motion:

Councilmembers Barnwell/Schneider to re-appoint Barbara Smith-Sherrill to the Homeowner category and Silvio Di Loreto to the Landlord category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Silvio Di Loreto was re-appointed to the Landlord category, and Barbara Smith-Sherrill was re-appointed to the Homeowner category, for terms expiring December 31, 2011.

Sign Committee:

Motion:

Councilmembers Horton/Barnwell to re-appoint Jennifer Rose.

Vote:

Unanimous voice vote (Absent: Councilmember House).

(Cont'd)

19. (Cont'd)

Sign Committee (Cont'd):

Appointment:

Jennifer Rose was re-appointed for a term expiring December 31, 2011.

Water Commission:

Motion:

Councilmembers Williams/Schneider to re-appoint Kathleen Rees.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Kathleen Rees was re-appointed for a term expiring December 31, 2011.

Westside Center Advisory Committee:

Motion:

Councilmembers Barnwell/Schneider to appoint Carlos Guerrero and Jesus Rodriguez to the Neighborhood Resident or Employee category and Vidal Chipriz to the Public at Large category.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointments:

Vidal Chipriz was appointed to the Public at Large category for a term expiring December 31, 2009, and Carlos Guerrero and Jesus Rodriguez were appointed to the Neighborhood Resident or Employee category for terms expiring December 31, 2010, and December 31, 2011, respectively.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Mayor Blum mentioned the ribbon-cutting ceremony held for the Mason Street bridge.
- Councilmember Falcone commented on the annual Parade of Lights event held December 9 at the Waterfront.
- Councilmember Horton reported on a presentation of the City's Plan of Transit/Rail Action for Commuters (On-TRAC) made to the Los Angeles-San Diego Rail Corridor Agency (LOSSAN).

(Cont'd)

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information (Cont'd):

- Councilmember Schneider mentioned the Tuba Christmas event held at Storke Placita.
- Councilmember Barnwell reported that the Streetlight Guidelines Advisory Committee will present a proposed streetlight design to Council in February 2008.
- Councilmember Williams recognized Councilmember Barnwell for his service on the Council.

## **RECESS**

4:41 p.m. - 6:04 p.m.

Mayor Blum presiding.

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

Councilmembers absent: House.

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

20. Subject: Consideration Of A Resolution Urging Cessation Of Combat Operations In Iraq And The Return Of U.S. Troops (150.01)

Recommendation: That Council consider the request of Mayor Blum and Councilmember Williams regarding a Resolution Urging Cessation of Combat Operations in Iraq and the Return of U.S. Troops.

Documents:

- December 18, 2007, report from the City Administrator.
- Proposed Resolution.

The title of the resolution was read.

(Cont'd)

19. (Cont'd)

Speakers:

Members of the Public: Philip Marteney; Paul Berenson; Judith Evered; J. Wesley Brown; Lee Heller; Emily Allen; Leoncio Martins; Dinah Mason; Je Goolsby; Bret Hughes; Nancy Tunnell; Stephen Sherrill; Andrew Hankin; Matthew Margulies; Jim Goodnow, Veterans for Peace; David Wass; Pat Chamberlin-Calamar; Harrison Heyl; Erik O'Dowd; Marc McGinnes; Gilberto Robledo; Nancy Lynch.

Councilmember Horton suggested that the proposed resolution be amended as follows:

- Revise SECTION 1 to read "The Council urges the President of the United States to immediately commence a . . . withdrawal of United States . . . from Iraq within 18 months."
- Add a section to read: "The Council asks that, concurrent with a drawdown of troops, a plan be formulated (in order to reduce bloodshed) to gradually hand over authority and responsibility to Iraq's own forces or, in regions where this is not feasible, to United Nations peacekeepers."

Motion:

Councilmembers Schneider/Barnwell to adopt Resolution No. 07-089, as revised to incorporate Councilmember Horton's suggestions.

Vote:

Unanimous roll call vote (Absent: Councilmember House).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:23 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

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