



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 21, 2008 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Blum called the meeting to order at 2:01 p.m.

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring October 18-26, 2008, As Red Ribbon Week (120.04)

Action: Proclamation presented to Evelyn Aldapa, Youth Council and Alcohol and Drug Abuse Prevention Teen Coalition; Diego Torres Santos, Youth Council; Alicia Flores, Alcohol and Drug Abuse Prevention Teen Coalition; Ashley Medina, Santa Barbara City College, Girls and Family Group; Angelica, Future Leaders of America; Selena Rockwell, Council on Alcoholism and Drug Abuse; James Gobrogge, Santa Barbara City College, Alcohol and Drug Counseling Program; Gabriela Rodriguez, Program Coordinator, Future Leaders of America.

2. Subject: Proclamation Declaring October 2008 As Work And Family Month (120.04)

Action: Proclamation presented to Eileen Monahan, Santa Barbara County, First 5 Early Care and Education Program.

PUBLIC COMMENT

Speakers: Kenneth Loch; David Daniel Diaz; Michael Macias; Lee Moldaver; Kate Smith; Phil Walker; Floyd Meyer; Mr. Pennington; Kent Epperson, Director, Santa Barbara County Association of Governments, Traffic Solutions Division.

Concilmember Francisco entered the meeting at 2:35 p.m.

CONSENT CALENDAR (Item Nos. 3 - 11)

Motion:

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

Vote:

Unanimous voice vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of September 30 and October 7, 2008, and the special meeting of October 8, 2008.

Action: Approved the recommendation.

4. Subject: Integrated Regional Water Management Plan Proposition 50 Agreements (540.08)

Recommendation: That Council authorize the Public Works Director to execute the Santa Barbara Countywide Integrated Regional Water Management Plan (IRWMP) Proposition 50 sub-grant agreement and Memorandum of Understanding (MOU), with the Santa Barbara County Water Agency for administration of the Santa Barbara Countywide IRWMP grant funds.

Speakers:

- Staff: Principal Engineer John Ewasiuk.
- Members of the Public: Phil Walker.

Action: Approved the recommendation; Agreement Nos. 22,929 and 22,930 (October 21, 2008, report from the Public Works Director).

5. Subject: Purchase Order Increase For Hoist 4 Repair Project (570.03)

Recommendation: That Council approve a \$29,206 increase to Purchase Order No. 378828 from \$67,259 to \$96,465 for the Santa Barbara City Pier Hoist 4 Repair Project.

Action: Approved the recommendation (October 21, 2008, report from the Waterfront Director).

6. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Preliminary Approval For 1057 Arbolado Road (640.07)

Recommendation: That Council:

- A. Set the date of November 25, 2008, at 2:00 p.m. for hearing the appeal filed by Jacqueline Page and Joyce Searls, of the Single Family Design Board Preliminary Approval of an application for property owned by Ann and Paul S. De Bruyn Kopps and located at 1057 Arbolado Road, Assessor's Parcel No. 019-241-013, E-1 One-Family Residence Zone, General Plan Designation: Residential 3 Units per Acre. The proposed project involves one- and two-story additions and alterations to an existing one-story single-family residence located in the Hillside Design District; and
- B. Set the date of November 24, 2008, at 1:30 p.m. for a site visit to the property located at 1057 Arbolado Road.

Action: Approved the recommendations (October 7, 2008, letter of appeal).

7. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For El Encanto Hotel And Garden Villas, 1900 Lasuen Road (640.07)

Recommendation: That Council:

- A. Set the date of December 9, 2008, at 2:00 p.m. for hearing the appeal filed by Farrokh Nazerian, on behalf of adjacent neighbors, of the Planning Commission approval of an application for property owned by Orient Express Hotels, Trains & Cruises and located at 1900 Lasuen Road, Assessor's Parcel No. 019-170-022, R-2/4.0/R-H Two-Family Residence/4 Units per Acre/Resort-Residential Hotel Zones, General Plan Designation: Residential, 3 Units per Acre. The proposal is Phase One of a Revised Master Plan for the El Encanto Hotel, which phase would consist of a Central Plant of approximately 2,718 square feet that would be located predominantly underground in the northwest corner of the project site. The discretionary applications required for the project are Modifications and Development Plan Approvals; and

(Cont'd)

7. (Cont'd)

- B. Set the date of December 8, 2008, at 1:30 p.m. for a site visit to the property located at 1900 Lasuen Road.

Action: Approved the recommendations (August 21, 2008, letter of appeal).

NOTICES

- 8. The City Clerk has on Thursday, October 16, 2008, 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.
- 9. Cancellation of the regular Redevelopment Agency meeting of October 21, 2008, due to lack of business.
- 10. A City Council site visit scheduled for Monday, October 27, 2008, at 1:30 p.m. to the property located at 860 Jimeno Road, has been cancelled due to withdrawal of the development application.
- 11. Received a memorandum advising of the resignation of Rental Housing Mediation Task Force Member Esther Aguilera; the vacancy will be part of the current City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met and discussed the loan increase for Mental Health Association's affordable housing project at 617 Garden Street. He stated that the Committee discussed what an amazing and wonderful project this is and recommended that Council support the request. Chair Horton reported that the Committee also discussed the Upper State Street Design Guidelines and Transit Lane Study, and stated that a recommendation is being worked on by Planning staff, which will be presented to Council at a future meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

- 12. Subject: Infrastructure Financing Taskforce Report And Recommendations (230.01)

Recommendation: That Council:

- A. Receive the Infrastructure Financing Taskforce Report and recommendations; and

(Cont'd)

12. (Cont'd)

- B. Forward the report and recommendations to the City Finance Committee for review and recommendation.

Documents:

- October 21, 2008, report from the City Administrator.
- October 21, 2008, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: City Administrator James Armstrong, Administrative Analyst Lori Pedersen.
- Infrastructure Financing Taskforce: Richard W. Jensen, Dudley Morris, W. Scott Burns.
- Members of the Public: Kate Smith, Phil Walker.

Motion:

Councilmembers Horton/Williams to approve the recommendations, with the following direction to the Finance Committee to:

1. Call upon the members of the Taskforce to participate in as many Finance Committee meetings necessary in order to review the Taskforce's findings with the Committee;
2. Ensure the Finance Committee clearly understands the Taskforce's direction; and
3. Allow for questions to be answered in the Finance Committee format.

Vote:

Unanimous voice vote.

RECESS

3:51 p.m. - 4:05 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: Human Services And Community Development Block Grant Funding Application Release (230.06)

Recommendation: That Council:

- A. Review and provide input and direction on the current Community Development and Human Services Committee (CDHSC) program funding criteria and priorities for Fiscal Year 2010 Human Services and Community Development Block Grant funding decisions;

(Cont'd)

13. (Cont'd)

- B. Authorize staff to release the Fiscal Year 2010 funding application along with the Committee's review process and schedule for review of those applications; and
- C. Establish a Fiscal Year 2010 General Fund funding commitment in the amount of \$703,256 for the Human Services Program.

Documents:

- October 21, 2008, report from the Community Development Director.
- October 21, 2008, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Assistant Community Development Director/Housing and Redevelopment Manager Dave Gustafson, Community Development Programs Supervisor Sue Gray, Community Development Programs Specialist Elizabeth Stotts.
- Members of the Public: Kate Smith.

Motion:

Councilmembers Falcone/Schneider to approve the recommendations.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

14. Subject: Introduction Of Ordinance Amendment Establishing Prima Facie Speed Limits And Discussion of Speed Limit Setting (530.05)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.60.015 of the Municipal Code, Reducing the Prima Facie Speed Limit on Haley Street from Chapala Street to Milpas Street from 30 to 25 Miles per Hour and Increasing the Prima Facie Speed Limit on De La Vina Street from Micheltorena Street to Haley Street from 25 to 30 Miles per Hour; and
- B. Direct Staff on the appropriate course of action to address the establishment of speed limit determinations on City Streets.

Documents:

- October 21, 2008, report from the Public Works Director.
- Proposed Ordinance.
- October 21, 2008, PowerPoint presentation prepared and made by staff.

The title of the Ordinance was read.

(Cont'd)

14. (Cont'd)

Speakers:

- Staff: Public Works Director Christine Andersen, Supervising Transportation Engineer Drusilla Van Hengel, Transportation Manager Browning Allen.
- Transportation and Circulation Committee: Member David Pritchett.
- Members of the Public: Phil Walker.

Motion:

Councilmembers Williams/Falcone to approve recommendation A, with specific direction to staff to study the speed limits on Haley and De La Vina Streets in three years.

The motion was withdrawn by Councilmembers Williams and Falcone.

Motion:

Councilmembers Williams/Falcone to approve recommendation A, with specific direction to staff to:

1. Study the speed limits on Haley and De La Vina Streets in three years; and
2. Direct staff to study the establishment of city streets as "local streets".

Vote:

Unanimous roll call vote.

RECESS

Mayor Blum recessed the meeting at 5:35 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 15-18, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

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

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

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

(Cont'd)

15. (Cont'd)

Documents:

October 21, 2008, report from the City Attorney.

Time:

5:35 p.m. - 5:45 p.m.

No report made.

16. 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 Protect Our Village v. City Of Santa Barbara; Olive Oil and Gas, LP, John Price, SBSC Number 1302894.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

October 21, 2008, report from the City Attorney.

Time:

5:46 p.m. - 6:00 p.m.

No report made.

17. 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 Citizens Planning Association, v. Peak-Las Positas Partners, Mark Lee, Michael Bollag, et al., SBSC Case Number 1243174.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

October 21, 2008, report from the City Attorney.

Time:

6:01 p.m. - 6:15 p.m.

No report made.

Mayor Blum left the meeting at 6:15 p.m. Mayor Pro Tempore House presided for the remainder of the meeting.

18. 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 the General, Treatment and Patrol, Hourly, Police Management, and Supervisory bargaining units, and regarding salaries and fringe benefits for unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Documents:

October 21, 2008, report from the Assistant City Administrator.

Time:

6:16 p.m. - 6:39 p.m.

No report made.

ADJOURNMENT

Mayor Pro Tempore House adjourned the meeting at 6:39 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

MARTY BLUM
MAYOR

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

GRANT HOUSE
MAYOR PRO TEMPORE