



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 25, 2008 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 1:00 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: Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone.

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

### PUBLIC COMMENT

Speakers: Jack Wilson.

### CONSENT CALENDAR (Item Nos. 1 – 5, 8 and 9)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of November 11, 2008.

Action: Approved the recommendation.

2. Subject: October 2008 Investment Report (260.02)

Recommendation: That Council accept the October 2008 Investment Report.

Action: Approved the recommendation (November 25, 2008, report from the Finance Director).

3. Subject: Adoption Of Ordinance Temporarily Suspending Certain Hedge Regulations (640.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the City Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 28.87 of the Title 28, the City's Zoning Ordinance, In Order to Temporarily Suspend the Application of Certain Provisions of Section 28.87.170 Concerning the Height Of Hedges In Required Setbacks and Along the Front Lot Line.

Action: Approved the recommendation; Ordinance No. 5470 (November 18, 2008, letter from Rosemary Hester; November 25, 2008, letter from unidentified owners of Assessor's Parcel No. 045-142-011).

4. Subject: Amendment To Agreement No. 22,623 With Wallace Group, In The Amount Of \$19,150 For Santa Barbara Golf Club Storm Water Management Project Final Design Plans (570.02)

Recommendation: That Council authorize the Parks and Recreation Director to execute an amendment to Professional Services Contract No. 22,623 in an amount not to exceed \$19,150 for a total contract amount of \$139,743 for Wallace Group to provide final design plans and construction specifications for the Santa Barbara Golf Club Storm Water Management Project.

Action: Approved the recommendation; Agreement No. 22,623.1 (November 25, 2008, report from the Parks and Recreation Director).

5. Subject: Local Emergency Due To Fire (520.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring the Continuance of a Local Emergency Due to the Tea Fire.

Action: Approved the recommendation; Resolution No. 08-104 (November 25, 2008, report from the Fire Chief; proposed resolution).

Agenda Item Nos. 6 and 7 appear in the Redevelopment Agency minutes.

## NOTICES

8. The City Clerk has on Thursday, November 20, 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 City Council and Redevelopment Agency meetings of December 2, 2008, 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 the October 2008 Investment Report, which was approved by the Council as part of this Agenda's Consent Calendar (Item No. 2).

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

### COMMUNITY DEVELOPMENT DEPARTMENT

10. Subject: Reconsideration Of Agenda Item No. 21 From The November 18, 2008, City Council Meeting - Alternative Building Heights Charter Amendment (110.01)

Recommendation: That Council:

- A. Initiate an amendment to City Charter Section 1506 and implementing ordinance with regard to the 60-foot building height allowance for certain commercial zones, and standards for new setbacks; and
- B. Provide direction to staff and the Ordinance Committee on the provisions to be included in the amendments.

Documents:

November 18, 2008, report from the Community Development Director.

(Cont'd)

10. (Cont'd)

Speakers:

- Members of the Public: William Mahan, Save El Pueblo Viejo; Michael Self; Earl Armstrong; Michael Holliday, American Institute of Architects; Lisa Plowman; April Palencia; Scott Hopkins; Mickey Flacks, Santa Barbara For All; Joe Rution; Jim Westby; Cathie McCammon, League of Women Voters; Dave Davis; Alex Pujo; Steve Cushman.
- Staff: City Attorney Stephen Wiley, Community Development Director Paul Casey.

Motion:

Councilmembers Horton/Williams to reconsider Item No. 21 from the Council's November 18, 2008, agenda.

Vote:

Majority voice vote (Noes: Councilmember Francisco, Mayor Blum; Absent: Councilmember Falcone).

Motion:

Councilmembers House/Williams to approve the recommendations from Item No. 21 of the November 18, 2008, agenda, restated above.

In making his motion, Councilmember House clarified that the direction requested by recommendation B was given during Council's consideration of this issue on November 18, 2008, and that Staff had agreed that the direction given was adequate.

Vote:

Majority voice vote (Noes: Councilmember Francisco, Mayor Blum; Absent: Councilmember Falcone).

## **COUNCIL AND STAFF COMMUNICATIONS**

City Administrator James Armstrong advised that due to the current rains, an evacuation order is likely for the Sycamore Creek area that was burned by the Tea Fire.

## **CHANGES TO THE AGENDA**

### Change to Agenda Order

Motion:

Councilmembers Williams/Schneider to consider Item No. 13 prior to Item Nos. 11 and 12.

Vote:

Majority voice vote (Noes: Councilmember Francisco, Mayor Blum; Absent: Councilmember Falcone).

## RECESS

3:15 p.m. - 3:24 p.m.

## PUBLIC HEARINGS

13. Subject: Appeal Of The Single Family Design Board Approval Of 1057 Arbolado Road (640.07)

Recommendation: That the Council deny the appeal of Jacqueline M. Page and Joyce Siefker Searls, and uphold the Single Family Design Board Preliminary Approval for proposed additions and alterations to the existing one-story, single-family residence for Ann S. De Bruyn Kops at 1057 Arbolado Road.

### Documents:

- November 25, 2008, report from the Community Development Director.
- November 21, 2008, letter from Derek Westen, Attorney representing the Appellants.
- November 23, 2008, letter from Appellant Joyce Searls.
- Letters submitted for Single Family Design Board hearings regarding the project.
- November 19, 2008, letter from William Yule.
- November 22, 2008, letter from Tom and Evelyn Hodson.
- November 23, 2008, letters from Mary McMahon, Doc Searls.
- November 23, 2008, e-mail from Bruce and Julie Morrow.
- November 24, 2008, letter from Giulio and Gaile Baratto.
- November 24, 2008, e-mails from Jack Hewett, Nancy Kaplan, Donald Graves, Dee Elias.

### Public Comment Opened:

3:25 p.m.

### Speakers:

- Staff: Planning Technician Tony Boughman.
- Single Family Design Board: Chair William Mahan, Vice-Chair Paul Zink, Member Berni Bernstein.
- Appellant: Attorney Derek Westen, Cliff Hickman, Joyce Searls, Jacqueline Page.
- Applicant: Architect Jeff Shelton, Property Owner Paul De Bruyn Kops.
- Members of the Public: Bob Black, M.D., Chris Kamen, Angelo Castagnola, Karen Strickland, Cindy Travis, Marge Graves, Bob Johnson, Elaine Daugherty, Robert Dodson, Julie Swenson, Bruce McRoy.

### Public Comment Closed:

5:03 p.m.

(Cont'd)

13. (Cont'd)

Motion:

Councilmembers Schneider/Horton to approve the recommendation and direct the Applicant to work with the Single Family Design Board to review the design of the second-story deck to ensure better screening in conformance with privacy guidelines.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

## **CHANGES TO THE AGENDA**

### Items Continued to Future Agenda

City Administrator James Armstrong advised that the following agenda items would be continued to a future meeting:

11. Subject: Environmental Preferred Purchasing Policy (340.02)

Recommendation: That Council adopt the proposed Environmental Preferred Purchasing Policy to assist City departments in purchasing products and services that minimize the City's impact on the environment.

12. Subject: Capital Improvement Projects First Quarter Report For Fiscal Year 2009 (230.01)

Recommendation: That Council receive, for information only, the Capital Improvement Projects (CIP) First Quarter Report for Fiscal Year 2009. (Continued from November 18, 2008)

## **RECESS**

Mayor Blum recessed the meeting at 5:31 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 14. She stated there would be no reportable action taken during the closed session.

## **CLOSED SESSIONS**

14. 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, and Supervisory bargaining units, and regarding salaries and fringe benefits for unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Continued from November 18, 2008)

14. (Cont'd)

Documents:

November 11, 2008, report from the Assistant City Administrator.

Time:

5:35 p.m. - 6:58 p.m.

No report made.

## **RECESS**

6:58 p.m. - 7:01 p.m.

Mayor Blum presiding.

Councilmembers present: Francisco, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Falcone, Horton.

Staff present: City Attorney Wiley, Deputy City Clerk Tschech.

## **PUBLIC COMMENT**

No one wished to speak.

## **MAYOR AND COUNCIL REPORTS**

15. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council interview applicants to City Advisory Groups.

Documents:

November 25, 2008, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Access Advisory Committee:

Jeanette Chian

Amy Van Meter

Michael Just

Airport Commission:

John Clark

Scott J. Tracy

Kevin R. Leitch

Architectural Board of Review:

Keith Rivera

Carol Gross

(Cont'd)

15. (Cont'd)

Speakers (Cont'd):

Building and Fire Code Board of Appeals:

Marsha Zilles

Civil Service Commission:

Wayne Hewitt

City Administrator James Armstrong returned to the meeting at 7:37 p.m.

Speakers (Cont'd):

Community Development and Human Services Committee:

Alice O'Connor

Michael Just

Petra Lowen

Community Events and Festivals Committee:

Wayne Hewitt

David Boire

Downtown Parking Committee:

Jeremy Pemberton

Joshua Pemberton

Fire and Police Pension Commission:

Scott J. Tracy

Franklin Center Advisory Committee:

Chrystal M. Sturm

Historic Landmarks Commission:

Craig Shallenberger

Library Board:

Catherine Radecki-Bush

Lower Westside Center Advisory Committee:

Paul Contreras

Metropolitan Transit District Board:

David Pritchett

Mosquito and Vector Management District Board:

David Pritchett

Park and Recreation Commission:

Jeremy Pemberton

Sign Committee:

Joshua Pemberton

Sister Cities Board:

Wayne Hewitt

Transportation and Circulation Committee:

David Tabor



**COUNCIL AND STAFF COMMUNICATIONS**

City Administrator James Armstrong announced that a mandatory evacuation order had been issued for the area burned by the Tea Fire.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 8:27 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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