



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 23, 2010 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and Redevelopment Agency to order at 2:02 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Bendy White, Das Williams, Mayor Schneider.

Councilmembers absent: None.

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 March 21-27, 2010, as National Land Surveyors Week (120.04)

Action: Proclamation presented to Roger Hemman and Joe Waters, California Land Surveyors Association, Channel Islands Chapter.

PUBLIC COMMENT

Speakers: Darlena Moore; Ruth Wilson; Jeff Shaffer, The Turning Foundation; Alexis Wilson, The Turning Foundation; Kate Smith.

CONSENT CALENDAR (Item Nos. 2 – 5 and 8)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of March 8, 2010, and the regular meeting of March 9, 2010.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance Establishing Procedures For Appointment And Service Of Youth Member To Parks And Recreation Commission (570.08)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 2.08.020 of the Santa Barbara Municipal Code and Establishing Procedures for the Appointment and Service of a Youth Member to the Parks and Recreation Commission.

Speakers: Kate Smith.

Action: Approved the recommendation; Ordinance No. 5512.

4. Subject: Adoption Of Ordinance For Lease With Chuck's Waterfront Grill (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Amendment with Richones, Inc., Doing Business as Chuck's Waterfront Grill, Located at 113 Harbor Way, Effective April 22, 2010.

Action: Approved the recommendation; Ordinance No. 5513.

5. Subject: Fiscal Year 2010 Interim Financial Statements For The Seven Months Ended January 31, 2010 (250.02)

Recommendation: That Council accept the Fiscal Year 2010 Interim Financial Statements for the Seven Months Ended January 31, 2010.

Action: Approved the recommendation (March 23, 2010, report from the Interim Finance Director).

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

NOTICES

8. The City Clerk has on Thursday, March 18, 2010, 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.

REDEVELOPMENT AGENCY REPORTS

9. Subject: Increased Funding For Transition House Affordable Housing Project (660.04)

Recommendation: That Council and the Redevelopment Agency Board take the following actions regarding the "Mom's Place" affordable housing project at 421 East Cota Street:

- A. That Council approve and authorize the Community Development Director to negotiate and execute, subject to approval as to form by the City Attorney, an amendment to a loan agreement with Transition House to, among other things, increase the loan amount by \$170,000 in federal Home Investment Partnerships Program (HOME) funds for construction of new units on the property;
- B. That the Agency Board approve and authorize the Deputy Director to negotiate and execute, subject to approval as to form by Agency Counsel, a loan agreement with Transition House in the amount of \$39,391 for construction of new units on the property as a contingency in the event that Fiscal Year 2011 HOME funds are not awarded;
- C. That the Agency Board approve the appropriation of \$39,391 from the Redevelopment Agency Housing Set-Aside Fund unappropriated reserves to cover the \$39,391 loan to Transition House as a contingency in the event that Fiscal Year 2011 HOME funds are not awarded;

(Cont'd)

9. (Cont'd)

- D. That the Agency Board approve and authorize the Deputy Director to negotiate and execute, subject to approval as to form by Agency Counsel, a loan in the amount of \$150,000 to Mom's LP in Redevelopment Agency Housing Set-Aside funds for rehabilitation of existing units on the property;
- E. That the Agency Board approve the appropriation of \$150,000 from the Redevelopment Agency Housing Set-Aside Fund unappropriated reserves to cover the loan to Mom's LP; and
- F. That the Agency Board consent to the additional subordination of the replacement affordability control covenant to a new Montecito Bank and Trust permanent loan and find that that there is no reasonably available and economically feasible alternative for financing this project without the additional subordination, and authorize the Deputy Director to execute the subordination subject to approval as to form by Agency Counsel.

Documents:

- March 23, 2010, report from the Community Development Director/Deputy Director.
- March 23, 2010, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Project Planner Simon Keifer.
- Transition House: Executive Director Kathleen Baushke.

Motion:

Council/Agency Members Williams/House to approve the recommendations; City Council Agreement No. 23,160.1.

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

10. Subject: Appeal Of The Planning Commission Approval Of 803 North Milpas Street (640.07)

Recommendation: That Council deny the appeal of Rick Feldman, uphold the Planning Commission approval and re-affirm the findings in Resolution 043-09 of the application of Jarrett Gorin, agent for Milpas Street LLC, for a Tentative Subdivision Map, the Development Plan, and the Modification for a 19,886 square-foot mixed-use development.

(Cont'd)

10. (Cont'd)

Documents:

- March 23, 2010, report from the Community Development Director.
- Affidavit of Publication.
- March 23, 2010, PowerPoint presentation prepared and made by staff.
- March 22, 2010, email communication from Chair Mark Bradley, Transportation and Circulation Committee.
- March 23, 2010, petition from Rick Feldman.
- January 25, 2010, letter from Paula Westbury.
- February 16, 2010, letter from Russ Buford.
- March 12, 2010, letter from Jeffrey King.
- March 16, 2010, email communication from Elizabeth Hurley.
- March 16, 2010, email communication from Courtney Dietz, COAST.
- March 17, 2010, email communication from Ken Tompetrini.
- March 17, 2010, email communication from Scott Wenz.
- March 18, 2010, email communication from Ronald Hays.
- March 18, 2010, email communication from Roger Manasse.
- March 18, 2010, email communication from Jane Manasse.
- March 18, 2010, email communication from James Wagner.
- March 18, 2010, email communication from Kate Connell.
- March 18, 2010, letter from President Ralph Fertig, Santa Barbara Bicycle Coalition.
- March 18, 2010, email communication from George Relles.
- March 18, 2010, email communication from Energy Program Transportation Specialist Michael Chiacos, Community Environmental Council.
- March 18, 2010, email communication from President Ann Kale, Santa Barbara Junior High Parent Teacher Student Association.
- March 19, 2010, letter from Harold F. Hattier.
- March 21, 2010, email communication from Evan Kirkpatrick.
- March 22, 2010, email communication from Matt Dobberteen.
- March 22, 2010, email communication from Dennis Thompson, Thompson Naylor Architects, Inc.
- March 22, 2010, email communication from Bonnie Raisin.
- March 22, 2010, letter from Eva Kirkpatrick.
- March 22, 2010, email communication from Vijaya Jammalamadaka.
- March 22, 2010, email communication from Peter Basch.
- March 23, 2010, email communication from Courtney Dietz, COAST.
- March 23, 2010, email communication from James Kahan.
- March 23, 2010, email communication from J. Brian Sarvis, Superintendent, Santa Barbara School District.
- March 23, 2010, email communication from Pamela Boehr.
- March 23, 2010, email communication from Sebastian Aldana Jr.

(Cont'd)

10. (Cont'd)

- March 23, 2010, email communication from Andy Saar.
- March 23, 2010, letter from Dennis Allen.

Public Comment Opened:
2:40 p.m.

Speakers:

- Staff: Associate Planner Peter Lawson, Principal Transportation Planner Rob Dayton.
- Planning Commission: Commissioners John Jostes, Sheila Lodge, Deborah Schwartz.
- Architectural Board of Review: Member Gary Mosel.
- Transportation and Circulation Committee: Members Mark Bradley and David Pritchett.
- Appellant: Rick Feldman, Jim Westby, Tom Dyer, Cynthia Napier.
- Applicant: Jarrett Gorin, Milpas Street LLC.
- Members of the Public: Shirley Force; Ralph Fertig, Santa Barbara Bicycle Coalition; Karen Feeney, Allen Associates; Nancy Tunnell; Ann Harkey; Kellam de Forest; Bill Mahan.

Recess:
4:33 p.m. - 4:38 p.m.

Speakers (Cont'd):

- Members of the Public (Cont'd): Alex Pujó; Greg Janee; Eva Inbar; Courtney Dietz, COAST; Dennis Thompson, Thompson Naylor Architects; Tom Becker; Bonnie Raisin; Lee Moldaver; Constantino Fracyos; Charlie Disparte; Roger Manasse; Steve Maas, Metropolitan Transit District; Mickey Flacks, SBCAN; Jim Kahan; Ann Kale, Santa Barbara Junior High School PTSA.

Public Comment Closed:
5:13 p.m.

Motion:

Councilmembers House/Williams to deny the appeal according to staff's recommendation, and direct staff to address as many of the concerns heard as possible, specifically:

- 1) Turning radius while maintaining some landscaping;
- 2) Functionality for both motorists and pedestrians; and
- 3) Preserving three lanes in both directions.

Vote:

Majority voice vote (Noes: Councilmember Francisco, Hotchkiss, Self).

RECESS

6:17 p.m. - 6:31 p.m. Councilmembers House and White, and City Administrator Armstrong were absent when the Council reconvened. Assistant City Administrator Paul Casey was present.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Community Development And Human Services Committee Funding Recommendations For Fiscal Year 2011 And Housing And Urban Development Consolidated Action Plan (610.05)

Recommendation: That Council:

- A. Approve the funding recommendations of the Community Development and Human Services Committee for Fiscal Year 2011 Community Development Block Grant (CDBG) and Human Services funds;
- B. Authorize the Community Development Director to negotiate and execute agreements implementing the funding recommendations, subject to the review and approval of the City Attorney;
- C. Authorize the City Administrator to sign all necessary documents to submit the City's 2010-2014 Consolidated Plan and 2010 Action Plan to the Department of Housing and Urban Development (HUD); and
- D. Remove the Third Priority for Human Services funding applications (programs that seek to enhance the quality of life of persons whose basic needs are already met).

Documents:

March 23, 2010, report from the Assistant City Administrator/Community Development Director.

Speakers:

- Staff: Administrative Services Manager Sue Gray, Community Development Programs Specialist Elizabeth Stotts, Senior Planner I Renee Brooke.
- Community Development/Human Services Committee: Member Veronica Loza.
- Members of the Public: Randy Sunday, Sarah House; Jennifer Griffin, Independent Living Resource Center; Ellen Goodstein, Legal Aid Foundation; Michael Colton, Legal Aid Foundation; Jan Anderson, St. Vincent's PATH Program; Krista Colbry, St. Vincent's PATH Program; Deborah Holmes, CALM; Terri Allison, Storyteller Children's Center; Mauricio Mendez, Aha!; Megan Rheinschild, Sexual Assault Response

(Cont'd)

12. (Cont'd)

Team; Elsa Granados, Santa Barbara Rape Crisis Center; Leah Gonzales, Women's Economic Ventures; Mark Watson, Noah's Anchorage Youth Crisis Shelter; Heidi Holly, Friendship Center; Gary Linker, New Beginnings; Fran Forman, Community Action Commission; Joseph Velasco, City at Peace Santa Barbara; Charles Berquist, Project Recovery Detox Center; Magda Arroyo.

Councilmember House stated he would not vote on grants to the Community Action Commission due to a conflict of interest related to his membership on the Board of Directors.

Motion:

Councilmembers House/Williams to approve recommendations A and B for all grants with the exception of the Community Action Commission, and approve recommendations C and D; Agreement Nos. 23,329 - 23,351 and 23,353 - 23,382.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Williams/White to approve recommendations A and B for the grant to the Community Action Commission; Agreement No. 23,352.

Vote:

Unanimous voice vote (Abstention: Councilmember House).

Based on the previous actions, the Council approved allocation of funding as follows:

FISCAL YEAR 2010-2011
COMMUNITY DEVELOPMENT BLOCK GRANT AND HUMAN SERVICES COMMITTEE
FUNDING AGREEMENTS

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>First Priority</u>		
S.B. Neighborhood Clinics (Dental Care for the Homeless)	\$ 25,000	23,329
Transition House (Comprehensive Homeless Services)	43,000	23,330
Casa Esperanza Homeless Center (Community Kitchen)	50,000	23,331
AIDS Housing Santa Barbara (Sarah House)	25,000	23,332
S.B. Community Housing Corp. (Faulding Hotel Coordinator)	15,000	23,333
Pacific Pride Foundation (Necessities of Life)	19,000	23,334
Casa Esperanza Homeless Center (Homeless Day Program)	54,000	23,335
Santa Barbara Rape Crisis Center	25,000	23,336

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12. (Cont'd)

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>First Priority (Cont'd)</u>		
S.B. Co. DA - Victim Witness Assistance (S.A.R.T.)	8,000	23,337
Foodbank (Santa Barbara Warehouse)	25,000	23,338
CADA (Project Recovery Detox)	20,000	23,339
City At Peace	8,000	23,340
Domestic Violence Solutions (Second Stage)	7,000	23,341
S.B. Community Housing Corp. (Riviera Dual Diagnosis Prog.)	20,000	23,342
Domestic Violence Solutions (Emergency Shelter)	50,000	23,343 and 23,344
St. Vincent's (PATHS)	9,000	23,345
S.B. Police Activities League (After School Program)	18,000	23,346
Casa Serena (Scholarship Program)	15,000	23,347
New Beginnings Counseling Center (Homeless Outreach)	15,000	23,348
WillBridge	22,000	23,349
Foodbank (Brown Bag)	8,000	23,350
The PARC Foundation (Youth CineMedia)	10,000	23,351
Community Action Commission (Senior Nutrition)	9,000	23,352
Environmental Education Group (Esperanza)	8,000	23,353
People's Self-Help Housing (Supportive Housing Program)	9,000	23,354
Bringing Our Community Home (Homeless Jail Discharge)	15,000	23,355
Noah's Anchorage - CIYMCA (Youth Shelter)	22,000	23,356
United Boys & Girls Club - Westside (Teen Director)	14,000	23,357
People's Self-Help Housing (Gang Prevention)	5,000	23,358
Catholic Charities (Emergency Services)	12,000	23,359
Primo Boxing Club (Say Yes to Kids)	23,000	23,360
ySTRIVE for Youth (4REAL Project)	5,000	23,361
Legal Aid Foundation (Emergency Legal Services)	17,000	23,362
<u>Second Priority</u>		
Transition House (Homelessness Prevention)	\$ 8,000	23,363
Independent Living Resource Center	23,000	23,364
CALM (Bilingual Child Abuse Treatment)	21,000	23,365
Family Therapy Institute (AHA! Academy of Healing Arts)	10,000	23,366
Friendship Center (Adult Day Services)	22,000	23,367
Long Term Care Ombudsman	23,000	23,368
Storyteller Children's Center	30,000	23,369
Family Service Agency (Big Brothers/Big Sisters)	8,000	23,370
Mental Health Association (Fellowship Club)	10,500	23,371
S.B. Bicycle Coalition (Bici Centro Bicycle Repair)	9,500	23,372
Family Service Agency (2-1-1/HelpLine)	23,000	23,373
Planned Parenthood (Peer Advocates/ Prevention Ed.)	8,000	23,374
Rental Housing Mediation Task Force	23,000	

(Cont'd)

12. (Cont'd)

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>Second Priority (Cont'd)</u>		
ySTRIVE for Youth (Project Excel)	8,000	23,375
Court Appointed Special Advocates (CASA)	8,000	23,376
Boys & Girls Club of SB (Power Hr Homework Club)	7,924	23,377
 SUBTOTAL	 \$ 872,924	
 <u>PUBLIC/HUMAN SERVICE</u>		
<u>CAPITAL</u>		
Noah's Anchorage – CIYMCA	\$ 94,945	23,378
SB Neighborhood Clinics (Westside Clinic Flooring)	47,330	23,379
United Boys & Girls Club - Westside (Notes for Notes Music Box)	26,603	23,380
Girls Incorporated of Greater SB (Exterior Paint)	26,590	23,381
City of SB Neighborhd Improvement Prog. (Access Ramps)	50,000	
City of SB Neighborhd Improvement Prog. (Davis, Westside Ctrs)	35,000	
City of SB - Community Development (Housing Rehabilitation)	203,000	
City of SB - Neighborhd Improvement Prog. (Ortega Park Restrooms)	203,326	
City of SB - Neighborhd Improvement Prog. (Franklin Teen Ctr Renov.)	25,000	
Women's Economic Ventures (Microenterprise Development)	25,000	23,382
City of SB - Neighborhd Improvement Prog. (Cabrillo Ballfield Fence)	25,000	
 SUBTOTAL	 \$ 761,794	
 <u>ADMINISTRATION</u>		
City of SB (Rental Housing Mediation Task Force)	\$ 97,407	
City of SB (CDBG Administration)	169,877	
City of SB (Fair Housing)	8,941	
 SUBTOTAL	 \$ 276,225	
 GRAND TOTAL	 \$1,910,943	

RECESS

Mayor Schneider recessed the meeting at 7:19 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 11, and stated that no reportable action is anticipated.

CLOSED SESSIONS

11. 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 Police Officers Association, the Police Managers Association, the General Bargaining Unit, the Treatment and Patrol Bargaining Units, the Firefighters Association, the Hourly Bargaining Unit, and the Supervisory Employees Association, and regarding discussions with unrepresented management and confidential employees about salaries and fringe benefits.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

March 23, 2010, report from the Assistant City Administrator.

Time:

7:20 p.m. - 8:30 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 8:30 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER