



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING MAY 21, 2019 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this day.)

PLEDGE OF ALLEGIANCE

Mayor Murillo.

ROLL CALL

Councilmembers present: Jason Dominguez, Eric Friedman, Oscar Gutierrez, Meagan Harmon, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Norma Estrada.

CEREMONIAL ITEMS

1. Subject: National Public Works Week - May 19-25, 2019 (120.04)

Action: Proclamation presented to Public Works Director Rebecca Bjork.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Phil Walker; Michael Baker, United Boys and Girls Clubs; Mark Marshall Wofford, YMCA Surf Rider Foundation; Denice Spangler Adams; Anna Marie Gott.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. **Subject: Resolution Upholding The Appeal Of 711 N. Milpas LLC To Reverse The Architectural Board Of Review's Decision To Deny Final Design Approval And Deny The Appeal Of Gott & Pfauter To Uphold The Decision Of The Architectural Board Of Review For 711 N. Milpas (640.07)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Upholding the Appeal of 711 N. Milpas LLC to Reverse the November 19, 2018 Decision of the Architectural Board of Review to Deny Final Design Approval and to Deny the Appeal of Anna Marie Gott and Herman Pfauter to Uphold the Decision of the Architectural Board of Review to Deny Final Design Approval for the Project at 711 N. Milpas.

Councilmember Sneddon requested a separate vote on this item.

Documents:

- May 21, 2019, report from the Community Development Director.
- Proposed Resolution.
- May 21, 2019, letter from Anna Marie Gott.

Speakers:

- Member of the Public: Anna Marie Gott.

Motion:

Councilmembers Friedman/Rowse to approve the staff recommendation; Resolution No. 19-027.

Vote:

Majority roll call vote (Ayes: Councilmembers Friedman, Gutierrez, Harmon, Rowse, Mayor Murillo; Noes: Councilmembers Dominguez, Sneddon).

4. **Subject: Receipt Of The California Department Of Forestry And Fire Protection (Cal Fire) Community Wildfire Prevention Grant (520.03)**

Recommendation: That Council:

- A. Accept a grant for \$310,000 from the Cal Fire Community Wildfire Prevention Grant Program for updating the Santa Barbara Community Wildfire Protection Plan (CWPP) and programmatic Environmental Impact Report (EIR);
- B. Increase Fiscal Year 2021 estimated revenues and appropriations by \$310,000 in the Miscellaneous Grants Fund; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting the Department of Forestry and Fire Protection Grant for the Update of the City of Santa Barbara Community Wildfire Protection Plan and Programmatic Environmental Impact Report; Accepting

the Terms of the Grant to Complete the Project by March, 2021; and Directing Staff to Begin Work When Funding is Received.

Councilmember Sneddon and City Attorney Ariel Calonne recused themselves from consideration and voting on this item.

Documents:

- May 21, 2019, report from the Fire Chief.
- Proposed Resolution.

Motion:

Councilmembers Harmon/Rowse to approve the staff recommendation; Resolution No. 19-028.

Vote:

Majority roll call vote (Ayes: Councilmember Friedman, Gutierrez, Harmon, Rowse, Dominguez, Mayor Murillo; Abstain: Councilmember Sneddon).

CONSENT CALENDAR (Item Nos. 2, 5 – 9)

The titles of the Ordinances and Resolutions related to the Consent Items were read.

Motion:

Councilmembers Dominguez/Rowse to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Application To The State Office Of Historic Preservation To Certify The City's Historic Preservation Program Pursuant To The National Historic Preservation Act (610.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving the Filing of an Application for Certification Under the Certified Local Government Program.

Action: Approved the recommendation; Resolution No. 19-026 (May 21, 2019, report from the Community Development Director; proposed Resolution).

5. Subject: April Investment Report (260.02)

Recommendation: That Council accept the April 2019 Investment Report.

Action: Approved the recommendation (May 21, 2019, report from the Finance Director).

6. Subject: Purchase Order With Ecology Control Industries For Additional Storm Drain Screens (530.04)

Recommendation: That Council find, pursuant to Municipal Code Section 4.52.070(L), that compliance with the competitive bidding process provided in Municipal Code Section 4.52.070 is not in the best interest of the City and authorize the General Services Manager to issue a Purchase Order to Ecology Control Industries (ECI) in the amount of \$48,182 for Storm Drain Screens.

Action: Approved the recommendation (May 21, 2019, report from the Parks and Recreation Director).

7. Subject: Professional Services For Kronos Implementation Project Leadership (410.01)

Recommendation: That Council:

- A. Approve a professional services agreement with SDI Presence LLC in the amount of \$185,000 for Kronos Implementation Project Leadership and authorize the Administrative Service Director to approve any extra services that may be necessary in the amount of \$23,125, for a total not-to-exceed contract of \$208,125;
- B. Approve an allocation of \$33,447 in the Information Technology Capital Fund currently allocated to the Financial Management System Replacement Project to the Time & Attendance System Project; and
- C. Appropriate \$113,054 from the Fiscal Year 2019 Information Technology Capital Fund reserves to the Time & Attendance System Project to supplement existing appropriations of \$61,624 for the project.

Action: Approved the recommendations; Agreement No. 26,464 (May 21, 2019, report from the Administrative Services Director).

8. Subject: Set A Date For A Public Hearing Regarding Parks And Recreation Commission's Denial Of A Setback Tree Removal Request At 2131 Red Rose Way (570.08)

Recommendation: That Council:

- A. Set the date of July 16, 2019, at 2:00 p.m. for hearing the appeal filed by Karen K. Blanco of the Parks and Recreation Commission's denial of the removal of an Araucaria heterophylla, Norfolk Island Pine, located at 2131 Red Rose Way; and
- B. Set the date of July 15, 2019, at 1:30 p.m. for a site visit to the property located at 2131 Red Rose Way.

Action: Approved the recommendations.

NOTICES

9. Subject: The City Clerk has on Thursday, May 16, 2019, 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.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dominguez reported that the Committee recommends for Council to refinance the Rancheria Village apartment's loan agreement at a future Council meeting. The Committee also reviewed the modifications made to the Fiscal Year 2020 recommended budget, and approved them to be forwarded to Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

10. Subject: Wastewater Collection System Annual Report (540.13)

Recommendation: That Council receive a report from staff on calendar year 2018 wastewater collection system maintenance and management activities.

Documents:

- May 21, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Acting Wastewater System Manager Gaylen Fair; Wastewater Collections System Superintendent Bradley Rahrer.
- Member of the Public: Kira Redmond, SB Channelkeeper.

Discussion:

- Staff gave Council a presentation regarding the department's Wastewater Collection System. Topics covered included background information, sewer system maintenance, and costs. Staff also gave Council an update on other activities conducted during calendar year 2018. Councilmembers' questions were answered.

PUBLIC HEARINGS

11. Subject: Renewal Of Levy For Fiscal Year 2020 For The Wildland Fire Suppression Assessment District (520.03)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2019-2020.

Councilmember Sneddon and City Attorney Ariel Calonne recused themselves from consideration and voting on this item due to each of their separate residences being located within the assessment district.

Assistant City Attorney Sarah Knecht stepped in to fill City Attorney Ariel Calonne's seat.

Public Hearing opened: 3:08 p.m.

Documents:

- May 21, 2019, report from the Fire Chief.
- PowerPoint presentation prepared and made by staff.
- Proposed Resolution.

Speakers:

- Staff: Acting Fire Marshall Joe Poire; Fire Inspector James Austin; Fire Services Specialist Christopher Braden; Fire Chief Eric Nickel; Wildland Fire Specialist Amber Anderson.
- SCI Consultant: John Bliss

Councilmember Rowse was excused at 3:33 p.m.

Public Hearing closed: 3:37 p.m.

Motion:

Councilmembers Harmon/Friedman to approve the staff recommendation; Resolution No. 19-029.

Vote:

Majority roll call vote (Ayes: Councilmembers Gutierrez, Harmon, Dominguez, Friedman, Mayor Murillo; Abstain: Councilmember Sneddon; Absent: Councilmember Rowse).

Councilmembers Rowse and Sneddon, and City Attorney Ariel Calonne returned to Council Chambers at 3:38 p.m.

RECESS

3:38 p.m. – 3:44 p.m.

ADMINISTRATIVE SERVICES DEPARTMENT

12. Subject: Access Improvements For Spanish Speakers (440.02)

Recommendation: That Council:

- A. Receive a report from staff about the new Spanish Language Access Plan and planned improvements to access for Spanish speakers; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5865, the 2018-2020 Memorandum of Understanding with the General Bargaining Unit, to Include Pay for Participation on the Spanish Language Cadre.

Documents:

- May 21, 2019, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.

Speakers:

- Staff: Administrative Services Director Kristy Schmidt; Emergency Services Manager Yoli McGlinchey.

Motion:

Councilmembers Gutierrez/Rowse to approve the staff recommendations.

Vote:

Unanimous roll call vote.

13. Subject: November 2019 Election Plans And Authorization Of City Administrator To Execute Memorandum Of Understanding With Los Angeles County Regarding November 2019 Election (110.03)

Recommendation: That Council:

- A. Receive a report regarding planning for the November 5, 2019 City of Santa Barbara General and Special Municipal Election; and
- B. Authorize the City Administrator to execute a Memorandum of Understanding with the Los Angeles County Registrar/Recorder's Office regarding administration of elements of November 5, 2019 City of Santa Barbara General and Special Municipal Election.

Documents:

- May 21, 2019, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: City Clerk Services Manager Sarah Gorman; Administrative Services Director Kristy Schmidt.

Motion:

Councilmembers Dominguez/Rowse to approve the staff recommendations.

Vote:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. League of Cities Annual Meeting; 2. Riviera Association; 3. SB Bike Coalition; 4. UCSB Economic Summit; 5. Airport Commission.
- Councilmember Friedman attended the following events or meetings: 1. Visit Santa Barbara; 2. Arts Advisory Committee; 3. Paddy Moran Labor Champion of the Year Award dinner.
- Councilmember Sneddon attended the following events or meetings: 1. Visit Santa Barbara; 2. Creeks Advisory Committee; 3. League of Cities Annual Meeting; 4. Run Like a Woman workshop; 5. Riviera Association; 6. COMB; 7. UCSB Economic Summit.
- Mayor Murillo attended the following events or meetings: 1. SBCAG; 2. APCD; 3. Visit Santa Barbara; 4. Laguna Blanca Citizenship Breakfast; 5. LogicMonitor.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to Closed Session at 4:26 p.m. and stated that no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference With City Attorney – Existing Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is Robyn DiMizio v. City of Santa Barbara, WCAB Case Nos. ADJ11188599, ADJ11188600.

Scheduling: Duration, 20 minutes; anytime
Report: None anticipated

Documents:

- May 21, 2019, report from the City Attorney.

Time:

- 4:30 p.m. – 4:35 p.m.

No report made.

15. Subject: Conference With City Attorney – Existing And Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

- Linda Boicourt v. City of Santa Barbara; SBSC Case No. 19CV02344
- Bridget Bryden v. City of Santa Barbara, et al.; SBSC Case No. 17CV01529
- City of Santa Barbara v. CDM Smith, Inc., et al; SBSC Case No. 174CV01847
- City of Santa Barbara v. Southern California Edison, et al.; SBSC Case No. 18CV00934
- Richard Easbey v. COSB; SBSC Case No. 18CV00312
- Thomas Felkay as Trustee of the Emprise Trust v. City of Santa Barbara; SBSC Case No. 17CV03351
- Ann Fox v. City of Santa Barbara, et al.; SBSC Case No. 18CV00502
- Muriel Godfrey v. City of Santa Barbara, et al.; SBSC Case No. 17CV04122
- Anna Marie Gott v. City of Santa Barbara; SBSC Case No. 18CV03344
- Anna Marie Gott v. City of Santa Barbara; SBSC Case No. 19CV01339
- Jeffrey Hanson v. City of Santa Barbara, et al.; SBSC Case No. 18CV04769
- Rolland Jacks v. City of Santa Barbara, et al.; SBSC Case No. 1383959
- Theodore P. Kracke v. City of Santa Barbara; VSC Case No. 56-2016-00490376-CU-WM-VTA

- Agnes Nabisert Mubanda, et al. v. City of Santa Barbara, et al.; SBSC Case No. 18CV00628
- Geoff Conner Newlan v. City of Santa Barbara; SBSC Case No. 18CV02053
- Alyssa Nuno v. Santa Barbara Adventure Company, Inc. et al.; SBSC Case No. 18CV00988
- PE Capital Endowment Established by the Franchise Agreement Between the County of Santa Barbara, California and CoxCom, Inc. SBSC Case No. 19PR00156
- People of the State of California v. People, et al. v. Dario L. Pini, et al. (Unfair Practices Action) Case Nos. 17CV00718
- SGSB, Inc. v. City of Santa Barbara, et al.; SBSC Case No. 18CV04923
- Santa Barbara Association of Realtors v. COSB, et al.; SBSC Case No. 17CV04720
- Santa Barbara Inland & Coastal Property Rights Association v. City of Santa Barbara SBSC Case No. 18CV03136
- Christopher Barrett Smith v. City of Santa Barbara, et al.; SBSC Case No. 19CV01503
- Greg Smith and Judith Smith v. City of Santa Barbara, et al.; SBSC Case No. 18CV01590
- Andrew Furst v. City of Santa Barbara, et al.; USDC Case No. 5:15-CV-02428 VAP(SPx)
- Sonya Huerta and Yvonne Huerta v. City of Santa Barbara, et al.; USDC Case No. 2:17-CV-06225-TJH(JEMx)

Scheduling: Duration, 60 minutes; anytime
 Report: None Anticipated

Documents:

- May 21, 2019, report from the City Attorney.

Time:

- 4:35 p.m. – 5:25 p.m.

Mr. Calonne stated before commencement of the item that the following case was not intended to be included in the list and would not be discussed:

- People of the State of California v. People, et al. v. Dario L. Pini, et al. (Unfair Practices Action) Case Nos. 17CV00718

No report made.

16. Subject: Conference With City Attorney – Existing Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is In re: PE Capital Endowment Established by the Franchise Agreement Between the County of Santa Barbara, California and CoxCom, Inc. SBSC Case No. 19PR00156.

Scheduling: Duration, 15 minutes; anytime
Report: None anticipated

Councilmember Gutierrez recused himself from this item to avoid possible conflict of interest.

Documents:

- May 21, 2019, report from the City Attorney.

Time:

- 5:25 p.m. – 5:35 p.m.

No report made.

EVENING SESSION – 6:00 P.M.

RECONVENE

Mayor Murillo reconvened the meeting at 6:00 p.m.

ROLL CALL

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

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

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Estimated Time: 6:00 p.m.) (Continued from May 7, and May 14, 2019.)

Documents:

- May 21, 2019, report from the Administrative Services Director.

The following people were interviewed:

Citizens' Oversight Committee

Terence Taylor

Community Development and Human Services Committee

Joanna Romo

Housing Authority Commission

David Rowell

Trish Allen

Jeff Frankenfield

Neighborhood Advisory Council

Danny Hemingway

Santa Barbara Youth Council

Emerson Steady

Sabrina Proulx-Kelly

Veronica Sanchez Gomez

Alex Chow

Joshua Frankenfield

Sign Committee

Andres Malovos

Transportation and Circulation Committee

Andres Malovos

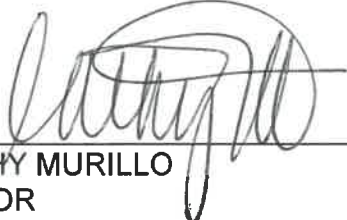
ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:43 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on July 16, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER