



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING SEPTEMBER 24, 2019 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance 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.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Mark Marshall Wofford, YMCA Surf Rider Foundation; Phil Walker; David Bluewolf Diaz; Ariana Rose Palmisano; Chris Barros; Denice S. Adams; Susan Anderson; Anna Marie Gott.

ITEM REMOVED FROM THE CONSENT CALENDAR

- 9. Subject: Approval Of Agreement With MarBorg Industries For The Disposal Of Fats, Oils, And Grease Materials (540.13)**

Recommendation: That Council approve and authorize the Public Works Director to execute an agreement between MarBorg Industries, Inc. and the City, in a form

acceptable to the City Attorney, for the disposal of Fats, Oils, and Grease Materials at the El Estero Water Resource Center.

Councilmember Sneddon requested a separate vote for this item.

Documents:

- September 24, 2019, report from the Public Works Director.

Speakers:

- Member of the Public: Mark Craig, Coastal Byproducts.

Motion:

Councilmembers Friedman/Harmon to approve the staff recommendation.

Vote:

Majority roll call vote (Ayes: Councilmembers Dominguez, Friedman, Gutierrez, Harmon, and Rowse; Noes: Councilmember Sneddon, and Mayor Murillo); Agreement No. 26,558.

CONSENT CALENDAR (Item Nos. 1-8, and 10-14)

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.

1. Subject: Adoption Of Ordinance Approving A License Agreement With The County Of Santa Barbara For Installation Of County-Owned Fiber Optic Cable In City-Owned Underground Conduit (530.07)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a License Agreement with the County of Santa Barbara for Use of City-Owned Underground Conduit.

Action: Approved the recommendation; Ordinance No. 5907; Agreement No. 26,556.

2. Subject: Grant Application For \$310,000 In Senate Bill 2 Planning Grants Program Funds (610.05)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Grant Application for \$310,000 to Update the General Plan Program Environmental Impact Report

(PEIR) Through the Senate Bill 2 Planning Grants Program Administered by the State Department of Housing and Community Development.

Action: Approved the recommendation; Resolution No. 19-068 (September 24, 2019, report from the Community Development Director; proposed Resolution).

3. Subject: Records Destruction For Administrative Services Department (160.06)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Administrative Services Department in the City Clerk's Office.

Action: Approved the recommendation; Resolution No. 19-069 (September 24, 2019, report from the City Administrator; proposed Resolution).

4. Subject: Renewal Of The Santa Barbara South Coast Tourism Business Improvement District (180.01)

Recommendation: That Council:

- A. Adopt the 2020-2029 Santa Barbara South Coast Tourism Business Improvement District Management District Plan;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Santa Barbara South Coast Tourism Business Improvement District (SBSCTBID) and Fixing the Time and Place of a Public Meeting and a Public Hearing Thereon and Giving Notice Thereof; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Requesting Consent of the City of Goleta and the County of Santa Barbara to Renew the Santa Barbara South Coast Tourism Business Improvement District.

Action: Approved the recommendations; Resolution Nos. 19-070; 19-071 (September 24, 2019, report from the City Administrator; proposed Resolutions).

5. Subject: Fiscal Year 2020 Interim Financial Statements For The One Month Ended July 31, 2019 (250.02)

Recommendation: That Council accept the Fiscal Year 2020 Interim Financial Statements for the one month ended July 31, 2019.

Action: Approved the recommendation (September 24, 2019, report from the Finance Director).

6. Subject: August 2019 Investment Report (260.02)

Recommendation: That Council accept the August 2019 Investment Report.

Action: Approved the recommendation (September 24, 2019, report from the Finance Director).

7. Subject: Professional Services Agreement With Bartel Associates, LLC For Actuarial Services (210.01)

Recommendation: That Council authorize the Finance Director to approve and execute a professional services agreement with Bartel Associates, LLC to perform actuarial services in connection with the City's Post- Retirement Health Benefits, Sick Leave Benefits, and Article XV and XVA Safety Retirement Plans covering Fiscal Years 2020 and 2021, in an amount not to exceed \$50,900, of which \$5,000 is allocated for additional services as necessary.

Action: Approved the recommendation; Agreement No. 26,557 (September 24, 2019, report from the Finance Director).

8. Subject: Increase In Professional Services Contract With Hiltachk Marketing Group (560.01)

Recommendation: That Council authorize the Airport Director to execute an amendment to Professional Service Agreement No. 25,939 with Hiltachk Marketing Group to increase the contract not to exceed amount by \$150,000 to provide marketing support for air service development efforts at Santa Barbara Airport for an additional two years, for a total contract amount not to exceed \$270,000, with funding authorized on an annual basis.

Action: Approved the recommendation; Agreement No. 25,939.1 (September 24, 2019, report from the Airport Director).

10. Subject: Contract For The Community Wildfire Protection Plan Update And Programmatic Environmental Impact Report (520.03)

Recommendation: That Council authorize the Fire Chief to execute a City Professional Services Contract with Dudek, a California corporation, in the amount not to exceed \$310,000 for the update of the existing Community Wildfire Protection Plan (CWPP) and Programmatic Environmental Impact Report (PEIR).

Action: Approved the recommendation; Agreement No. 26,559 (September 24, 2019, report from the Fire Chief).

11. Subject: Community Promotion Contract With Summer Solstice Celebration (180.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Summer Solstice Celebration, Inc. in the amount of \$68,000 to support year-round administrative expenses for the community event.

Action: Approved the recommendation; Agreement No. 26,560 (September 24, 2019, report from the City Administrator).

12. Subject: Set A Date For Hearing Of Appeal Of Finance & Treasury Manager's July 9, 2019 Decision Regarding Amount Of Transient Occupancy Tax Refund (210.01)

Recommendation: That Council:

- A. Due to a noticing error, set a new date of October 22, 2019, at 2:00 p.m. for hearing the appeal filed by Peter Chiarenza; and
- B. Delegate the City Administrator, or his designee, to serve as Administrative Hearing Officer to consider and rule on this appeal.

Action: Approved the recommendations.

NOTICES

- 13. Subject: The City Clerk has on Thursday, September 19, 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.
- 14. Subject: Received a letter of resignation from Architectural Board of Review member William Howard Wittausch; this vacancy will be part of the current City Advisory Groups recruitment. (140.02)

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Committee heard amendments related to Waterfront Parking regulations, made minor adjustments to the regulations, and forward them for Council approval at a future date.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

- 15. Subject: Zoning Ordinance Text Amendments Pertaining To The Zoning Information Report Program (640.09)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 28, Chapters 28.87 and 28.92 by the Amendment of Section 28.87.220 and the Repeal of Section 28.92.130; and Amending Title 30, Chapters 30.200, 30.205, and 30.285 by the Amendment or Repeal of Various Sections Pertaining to Zoning Information Reports.

The title of the Ordinance was read.

Documents:

- September 24, 2019, report from the Community Development Director.
- Proposed Ordinance.

Speakers:

- Staff: Senior Planner Susan Reardon; City Administrator Paul Casey; Assistant City Attorney Tava Ostrenger.
- Members of the Public: Thomas Schultheis, Santa Barbara Association of Realtors; Bob Hart, Santa Barbara Association of Realtors.

Motion:

Councilmembers Rowse/Friedman to approve the staff recommendation.

Vote:

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

PUBLIC WORKS DEPARTMENT

16. Subject: City Participation In State Water Project Suspended Table A And Delta Conveyance Project (530.01)

Recommendation: That Council:

- Receive a presentation regarding the potential reacquisition of Santa Barbara County Suspended Table A Water and direct staff on whether to participate in pursuing the reacquisition; and
- Receive a presentation regarding the Delta Conveyance Project and direct staff on whether to participate in the project.

Documents:

- September 24, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark; Administrative Analyst Dakota Corey; Public Works Director Rebecca Bjork.
- Member of the Public: Phil Walker.

Motion:

Councilmembers Friedman/Sneddon to direct staff to not pursue the reacquisition of Suspended Table A Water and to not participate in the CEQA costs for the Delta Conveyance Project at this time.

Vote:

Unanimous roll call vote.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

17. Subject: Appeal Of The Architectural Board Of Review's Project Design Approval For A Four-Unit Residential Development At 1108 Olive Street (640.07)

Recommendation: That Council:

- A. Consider Nancy Cohen, Mark Wienke, Darlene Zehren, and Jack Zehren's appeal of the Architectural Board of Review's Project Design Approval for a four-unit residential development at 1108 Olive Street; and
- B. Direct staff to return to Council with decision and findings reflecting the outcome of the appeal.

Public Hearing opened: 3:32 p.m.

Ex-Parte Communications:

- None to report.

Documents:

- September 24, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by appellants.
- PowerPoint presentation prepared and made by applicant.

Speakers:

- Staff: Senior Planner Irma Unzueta; Planning Technician Matthew Ozyilmaz; Assistant City Attorney Tava Ostrenger; Senior Planner Danny Kato.
- Architectural Board of Review: Richard Six.
- Appellants: Jack Zehren; Mark Wienke, Richard Monk.

Recess: 4:37 p.m. – 4:46 p.m.

Speakers (cont'd):

- Applicant: Kirk Gradin.
- Member of the Public: Anna Marie Gott.

Public Hearing closed: 5:21 p.m.

Motion:

Councilmembers Sneddon/Harmon to deny the appeal and approve the staff recommendations.

Friendly amendment:

Mayor Pro Tem Friedman to have staff's findings be the July 1, 2019 Architectural Board of Review Finding Nos. 4 and 5 that were part of ABR's motion regarding 1108 Olive Street.

Councilmember Sneddon, as the maker of the motion, accepted the friendly amendment.

Councilmember Harmon, as the seconder of the motion, accepted this friendly amendment.

City Attorney Ariel Calonne stated that with the amendment made by Mayor Pro Tem Friedman, staff will not need to come back to Council with decision and findings because Council has approved the ABR's findings.

Vote on amended motion:

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Sneddon attended the following events or meetings: 1. League of Women Voters forum; 2. Water Commission; 3. COMB; and 4. Sea Level Rise Subcommittee.
- Councilmember Friedman attended the following events or meetings: 1. Sea Level Rise Subcommittee; 2. Coastal Clean-up Day; 3. Cottage Rehabilitation Institute luncheon; 4. Arts Advisory Committee; 5. BEACON; 6. Gaviota Coast Conservancy Annual Event; and 7. Harbor Commission.
- Councilmember Dominguez attended the following events or meetings: 1. Santa Barbara College of Law 50-Year Gala; 2. Gaviota Coast Conservancy Annual Event; and 3. Eastside clean-up.
- Mayor Murillo attended the following events or meetings: 1. Alano Club; 2. SBCAG; and 3. Home for Good Funder's Collaborative.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to Closed Session at 5:35 p.m. and stated that no reportable action is anticipated.

CLOSED SESSION

18. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Oliver Yee of Liebert, Cassidy, and Whitmore, Pamela Antil, Assistant City Administrator, and Sam Ramirez HR Analyst II, regarding negotiations with the Santa Barbara City Firefighters Association, Santa Barbara City Supervisory Employees, Santa Barbara Police Officers Association, and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units (TAP).

Scheduling: Duration, 40 Minutes; anytime
Report: None anticipated

Documents:

- September 24, 2019, report from the City Administrator.

Time:

- 5:35 p.m. – 6:45 p.m.

No report made.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:45 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on October 22, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER

