



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
NOVEMBER 26, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 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, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

PUBLIC COMMENT

- Staff: Fire Chief Eric Nickel briefed the public on the Cave Fire, which started the previous night.
- Members of the public: Mark Marshall Wofford; Gill Barry; Scott Wenz, Cars Are Basic; Phil Walker.

ITEM REMOVED FROM THE CONSENT CALENDAR

9. Subject: Cancellation Of Certain Council Meetings In 2020 (120.02)

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 21, February 18, March 31, May 26, July 7, July 14,

August 25, September 1, September 8, November 3, December 1, December 22, and December 29, 2020.

Motion:

Councilmembers Friedman/Sneddon to approve the recommended action, and add cancellation of Council Meetings on March 24, 2020 and November 24, 2020.

Vote:

Unanimous roll call vote.

CONSENT CALENDAR (Item No 1-8, 10-12)

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

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Introduction Of Ordinance For Grant Of Easements To Southern California Edison For The Installation Of Electrical Charging Facilities At 1221 Anacapa And 630 Garden Streets (380.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements on City Owned Property to Southern California Edison Company for Electrical Charging Facilities and Authorizing the Public Works Director to Execute, as Necessary, the Deeds in a Form Approved by the City Attorney.

Action: Approved the recommendation; (November 26, 2019, report from the Public Works Director; proposed Ordinance).

2. Subject: Request To Exercise Options To Extend Lease For Existing City Attorney Office Space At 740 State Street (160.01)

Recommendation: That Council:

A. Approve and authorize the City Administrator to execute the option to extend the existing commercial lease for 740 State Street, Suite 202, for ten years at the rate of \$2.65 per square foot plus NNN/CAM with an annual CPI escalator set at a minimum of 2% and a maximum of 4%;

B. Approve and authorize the City Administrator to execute an option to extend the existing lease for 740 State Street, Suite 201, to then comprise approximately 3,890 square feet upon exercise of the option, for 10 years following expiration of the existing lease in 2020, at the rate of \$2.65 per

square foot plus NNN/CAM with an annual CPI escalator set at a minimum of 2% and a maximum of 4%; and

- C. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute Options to Extend a Lease Agreement with Mohammad Mahboob, Gity Mahboob and Ray Mahboob for 1,788 Square Feet of Lease Space Located at 740 State Street, Suite 202 and 3,890 Square Feet of Lease Space Located at 740 State Street, Suite 201, Santa Barbara, California.

Action: Approved the recommendations; (November 26, 2019, report from the City Attorney; proposed Ordinance).

3. Subject: City Administrator Merit Salary Increase (440.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5706, the Salary Plan for the City Administrator for Fiscal Year 2020, and to Orally Report a Summary of a Recommendation for a Final Action on the Salaries, Salary Schedules, or Compensation Paid in the Form of Fringe Benefits of a Local Agency Executive to Provide a 2.0% Merit Increase Retroactive to February 2, 2019, Adjusting the City Administrator's Annual Salary to \$282,877, and an Annual Deferred Compensation Contribution of \$6,000 Beginning January 5, 2020.

Action: Approved the recommendation; (November 26, 2019, report from the Assistant City Administrator; proposed Ordinance).

4. Subject: Adoption Of A Ninety-Year Affordability Control Covenant For Heath House LLC's Property Located At 18 East Sola Street (610.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving an Affordability Control Covenant Imposed on Real Property Located at 18 East Sola Street for a Period of Ninety Years with Heath House LLC and Authorizing the Community Development Director to Execute Such Agreements as Necessary.

Action: Approved the recommendation; Ordinance No. 5921; Agreement No. 26,590 (November 26, 2019, report from the Community Development Director).

5. Subject: Authorization To Amend Agreement With Liebert Cassidy Whitmore For Legal Services Regarding Labor Negotiations (440.03)

Recommendation: That Council:

- A. Authorize the City Administrator's Office to execute an amendment to the Labor Relations agreement (Santa Barbara Agreement #22000005) with

- the Law Firm of Liebert Cassidy Whitmore increasing the contract amount by \$120,000, for a total not to exceed amount of \$143,000; and
- B. Approve an increase in appropriations in the Administrative Services Department in the amount of \$120,000, funded from General Fund Appropriated Reserves.

Action: Approved the recommendations; Agreement No. 26,591 (November 26, 2019, report from the City Administrator).

6. Subject: Contracts For Construction Of Fiscal Year 2020 Slurry Seal Project And Contract For Design Of Fiscal Year 2021 Pavement Maintenance Projects (530.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, in its low bid amount of \$4,858,470, for construction of the Fiscal Year 2020 Slurry Seal Project, Bid No. 5788; and authorize the Public Works Director to execute the contract and approve expenditures of up to \$485,847 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- B. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc. in the amount of \$418,439 for construction support services, and approve expenditures of up to \$41,844 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates, Inc. in the amount of \$414,503 for design services of the Fiscal Year 2021 Pavement Maintenance Projects, and authorize the Public Works Director to approve expenditures of up to \$41,450 for extra services that may result from necessary changes in the scope of work; and
- D. Approve an increase in appropriations in the Waterfront Fund in the amount of \$150,000, funded from Waterfront Fund reserves above Council policy, authorize the transfer of those funds to the Waterfront Capital Fund, and approve an increase in appropriations and estimated revenues in the Waterfront Capital Fund in the amount of \$150,000, funded by the transfer, for Harbor Parking Lot Improvements.

Action: Approved the recommendations; Agreement Nos. 26,592; 26,593; and 26,594 (November 26, 2019, report from the Public Works Director).

7. Subject: October Investment Report (260.02)

Recommendation: That Council accept the October 2019 Investment Report.

Action: Approved the recommendation; (November 26, 2019, report from the Finance Director).

8. Subject: Fiscal Year 2020 First Quarter Review (230.05)

Recommendation: That Council:

- A. Accept the Fiscal Year 2020 interim financial statements for the three months ended September 30, 2019; and
- B. Approve the proposed first quarter adjustments to Fiscal Year 2020 appropriations and estimated revenues as detailed in the Schedule of Proposed First Quarter Budget Adjustments.

Action: Approved the recommendations; (November 26, 2019, report from the Finance Director).

10. Subject: Set A Date For Hearing Of Appeal Of Finance & Treasury Manager's October 29, 2019 Decision Regarding Amount Of Transient Occupancy Tax Due (210.01)

Recommendation: That Council:

- A. Set the date of December 18, 2019, at 2:00 p.m. for hearing the appeal filed by Haley Hotel; 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

- 11. Subject: The City Clerk has on Thursday, November 21, 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.
- 12. Subject: Received a communication advising of a vacancy created on the Downtown Parking Committee with the departure of Member Kate Schwab; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dominguez announced that the Finance Committee heard recommended actions from staff and voted unanimously to approve those recommendations to the Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

13. Subject: Certification Of Election Results For The General Municipal Election Of November 5, 2019 (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Reciting the Fact of the Vote-by-Mail General Municipal Election Held on November 5, 2019, and Declaring the Results and Setting Forth Such Other Matters as Required by the State Elections Code; and
- B. Receive a final presentation from staff on the November 5, 2019 Election.

Documents:

- November 26, 2019, report from the City Administrator.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Clerk Services Manager Sarah Gorman.
- Members of the Public: Phil Walker.

Motion:

Councilmembers Friedman/Dominguez to approve the recommended action.

Vote:

Unanimous roll call vote; Resolution No. 19-089.

CITY ADMINISTRATOR

14. Subject: Request From Councilmembers Dominguez And Sneddon Regarding Citywide Permanent Supportive Housing (660.06)

Recommendation: That Council consider the request from Councilmembers Dominguez and Sneddon regarding options for Citywide Permanent Supportive Housing.

Documents:

- November 26, 2019, report from the Community Development Director.
- handouts
- PowerPoint presentation prepared and made by Staff, Home For Good, County of Santa Barbara, and Housing Authority of Santa Barbara.

Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels.

- Home for Good: Director, Homeless and Veterans Impact Initiatives Emily Allen.
- County of Santa Barbara: Homeless Assistance Programs Manager Kimberlee Albers.
- Housing Authority of Santa Barbara: Deputy Executive Director/COO Skip Szymanski.
- Members of the Public: Jeff Shaffer, SB ACT; Denice Spangler; Michael Meredith; Solveig Chandler.

Recess: 4:31 p.m. – 4:41 p.m.

Discussion:

- Councilmembers heard presentations on topics including supportive housing definitions and locations, legislation, eligibility for permanent supportive housing, and the housing first model. Councilmembers' questions were answered.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Mason Street Community Center opening meeting for Hispanic Chamber; 2. Airport Commission meeting; 3. Business presentation; 4. SBCAG meeting.
- Councilmember Friedman attended the following events or meetings: 1. Business Community meeting; 2. South Coast Emergency Partnership meeting; 3. Arts Advisory Committee; 4. Library Advisory Committee; 5. Harbor Commission; 6. Cave Fire Briefing.
- Councilmember Gutierrez attended the following events or meetings: 1. South County Emergency Partnership luncheon with Councilmembers Harmon, Friedman, and Rowse; 2. Maritime Museum oil expo; 3. MIT Forum on Gender Equality; 4. Emergency Operations Center.
- Councilmember Sneddon attended the following events or meetings: 1. League of Women Voters panel; 2. Water Commission meeting; 3. Business Community meeting with Mr. Casey; 4. Mayor Murillo and she participated in a meeting re possession storage.
- Mayor Murillo attended the following events or meetings: 1. Thanks to Red Cross for setting up emergency shelter; 2. Meeting re possession storage with Councilmember Sneddon; 3. Mason Street Church Thanksgiving dinner.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

- 15. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 SGSB, Inc. v. COSB et al. USDC Case No. 2:19-cv-04782-AB-PLA (SBSC Case No. 18CV04923.)

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

Documents:

- November 19, 2019, report from the City Attorney.

Time: 5:25 p.m. – 6:00 p.m.


ADJOURNMENT

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

Approved and adopted by the City Council of the City of Santa Barbara on December 17, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER