



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JUNE 4, 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.

CEREMONIAL ITEMS

1. Subject: National Gun Violence Awareness Days - June 7-9, 2019 (120.04)

Action: Proclamation presented to Lois Capps.

2. Subject: Employee Recognition – Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through June 30, 2019.

Action: City Administrator Paul Casey listed the names of recipients of service award pins.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Scott Wenz, Cars Are Basic; Phil Walker; David Blue Wolf Diaz; Kraig Rice, Team Juana; Frank Ochoa, Team Juana; Cristina Flores, Team Juana; Ron Burns; George Eskin; Anna Marie Gott; Nancy Bell Coe, Team Juana; Daniela, Coalition Against Gun Violence; Laura Garcia Diaz, Santa Barbara Response Network; Lorna Boyd.

ITEMS REMOVED FROM CONSENT CALENDAR

7. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2020 – Intention To Levy (550.1)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2020; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for Fiscal Year 2020, at a Public Hearing to be Held on June 18, 2019, at 2:00 p.m.

The title of the Resolution was read.

Councilmember Rowse stated that he would be abstaining from voting on this item because he is a paying member of the PBIA.

Documents:

- June 4, 2019, report from the Public Works Director.
- Proposed Resolution.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendations; Resolution No. 19-031.

Vote:

Unanimous roll call vote (Abstain: Councilmember Rowse).

15. Subject: Contract For Construction Of Highway Safety Improvement Program Pedestrian Crossing Enhancements Project (530.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$644,484 for construction of the Highway Safety Improvement Program Pedestrian Crossing Enhancements Project, Bid No. 3933; and authorize the Public Works Director to execute the contract and approve expenditures up to \$64,448 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. Accept Highway Safety Improvement Program grant funding, and authorize an increase in appropriations and estimated revenues in the Streets Grant Capital Fund by \$657,800, funded by a Highway Safety Improvement Program grant, to partially cover the cost of construction for the Highway Safety Improvement Program Pedestrian Crossing Enhancements Project; and
 - C. Approve the allocation of remaining appropriations in the Pavement Maintenance Program Project in the amount of \$131,510 in the Measure C Capital Fund to the Highway Safety Improvement Program Pedestrian Crossing Enhancements Project for the remaining cost of construction.

Documents:

- June 4, 2019, report from the Public Works Director.
- June 3, 2019, Memorandum from Principal Transportation Engineer Derrick Bailey.

Speakers:

- Staff: Principal Traffic Engineer Derrick Bailey.
- Member of the Public: Scott Wenz, Cars Are Basic.

Motion:

Councilmembers Sneddon/Friedman to approve the staff recommendations; Agreement No. 26,472.

Vote:

Unanimous roll call vote

CONSENT CALENDAR (Item Nos. 3-6, 8-14, 16)

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

Motion:

Councilmembers Dominguez/Sneddon to approve Consent Calendar items 3-6, 8-14, and 16.

Vote:

Unanimous roll call vote.

3. Subject: Introduction Of Ordinance To Grant A Utility Easement To Southern California Edison For The Metropolitan Transit District Transit Center (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 Authorizing the Conveyance of a Public Utility Easement to Southern California Edison at Surface Parking Lot 3 for the Santa Barbara Metropolitan Transit District Transit Center.

Action: Approved the recommendation (June 4, 2019, report from the Public Works Director; proposed Ordinance).

4. Subject: Rancheria Apartments Loan Restatement And Subordination Request (660.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Restated Loan Agreement, Restated Deed of Trust, and New Ninety-Year Affordability Control Covenant with Marianna Ranch, L.P. and Authorizing the Community Development Director to Execute Such Agreements as Necessary.

Action: Approved the recommendation (June 4, 2019, report from the Community Development Director; proposed Ordinance).

5. Subject: Adoption Of Ordinance For Access Improvements For Spanish Speakers (440.02)

Recommendation: That Council 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.

Action: Approved the recommendation; Ordinance No. 5886.

6. Subject: Bequest From Nancy Gifford To The City Of Santa Barbara Public Library (570.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting a Donation of Art from Nancy Gifford in the Appraised Value of \$257,520 for the Exclusive Use and Benefit of the Santa Barbara Public Library.

Action: Approved the recommendation; Resolution No. 19-030 (June 4, 2019, report from the Library Director; proposed Resolution).

8. Subject: Fiscal Year 2019 Interim Financial Statements For The Ten Months Ended April 30, 2019 (250.02)

Recommendation: That Council accept the Fiscal Year 2019 Interim Financial Statements for the ten months ended April 30, 2019.

Action: Approved the recommendation (June 4, 2019, report from the Finance Director).

9. Subject: Fiscal Year 2019 Third Quarter Review (210.01)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2019;
- B. Accept the Fiscal Year 2019 Interim Financial Statements for the nine months ended March 31, 2019; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2019 appropriations and estimated revenues as detailed in the attached schedule of Proposed Third Quarter Adjustments.

Action: Approved the recommendations (June 4, 2019, report from the Finance Director).

10. Subject: Adoption Of Program Year 2019–2020 Annual Action Plan For Housing and Community Development Objectives And Strategies (610.05)

Recommendation: That Council:

- A. Adopt the Program Year 2019–2020 Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD); and
- B. Authorize the City Administrator to sign all necessary documents to submit the City's Program Year 2019–2020 Annual Action Plan to HUD.

Action: Approved the recommendations (June 4, 2019, report from the Community Development Director).

11. Subject: Approval Of Contract To Provide Traffic Engineering Services For Cliff Drive Intersections (530.05)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services agreement with Kittelson and Associates in the amount of \$103,000 to perform traffic engineering services, including a roundabout feasibility study at Cliff Drive and Loma Alta Drive, and authorize the Public Works Director to approve expenditures of up to \$10,300 for extra services that may result from necessary changes in the scope of work;
- B. Approve an increase in appropriations and estimated revenue in the Streets Capital Fund in the amount of \$76,000;
- C. Approve the transfer of remaining appropriations in the Transportation Planning Budget in the amount of \$37,300 from the Streets Operating Fund to the Streets Capital Fund for the Cliff Drive Intersections Study project; and
- D. Approve an increase in appropriations and estimated revenue in the Streets Capital Fund in the amount of \$37,300, funded from a transfer from the Streets Operating Fund, to cover the remaining costs of the traffic engineering services.

Speakers:

- Staff: Principal Traffic Engineer Derrick Bailey.
- Members of the Public: Dr. Teri Jory, Our Mesa Neighborhood; Luz Reyes-Martin, Santa Barbara City College.

Action: Approved the recommendations; Agreement No. 26,467 (June 4, 2019, report from the Public Works Director).

12. Subject: Contract For Construction Of The Santa Barbara Airport Passenger Boarding Bridge No. 3 Project (560.04)

Recommendation: That Council:

- A. Award a contract with JBT Aerotech Jetway Systems, in their low bid amount of \$1,125,428, for construction of the Santa Barbara Airport Passenger Boarding Bridge No. 3 Project, Bid No. 3956; and authorize the Public Works Director to execute the contract and approve expenditures up to \$112,542 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. Approve an increase in appropriations in the Airport Operating Fund in the amount of \$1,237,970, funded from Airport Operating Fund reserves, and authorize the transfer of such funds to the Airport Capital Fund; and
- C. Approve an increase in appropriations and estimated revenues in the Airport Capital Fund in the amount of \$1,237,970, funded by a transfer from the Airport Operating Fund, for the construction of the Passenger Boarding Bridge No. 3 Project.

Action: Approved the recommendations; Agreement No. 26,468 (June 4, 2019, report from the Public Works Director).

13. Subject: Contract For On-Call Surveying Services (230.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with MNS Engineering, Inc., in an amount not to exceed \$100,000 for on-call surveying services for various Capital Improvement Program and related projects.

Action: Approved the recommendation; Agreement No. 26,469 (June 4, 2019, report from the Public Works Director).

14. Subject: Contract For Construction Of Santa Barbara Airport Chain Link Fence Relocation Project (560.04)

Recommendation: That Council:

- A. Award a contract with Quality Fence Company, Inc., in their low bid amount of \$65,015 for construction of the Santa Barbara Airport Chain Link Fence Relocation Project, Bid No. 3965; and authorize the Public Works Director to execute the contract and approve expenditures up to \$6,501 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 General Services Manager to execute a contract with Applied Earthworks in the amount of \$28,448 for archaeological monitoring services, and approve expenditures of up to \$2,844 for extra services of Applied Earthworks that may result from necessary changes in the scope of work;
- C. Approve the allocation of remaining appropriations in the Airport Street Resurfacing Project in the amount of \$60,000 in the Airport Capital Fund to the Airline Terminal Gate 1 Reconfiguration Project; and
- D. Approve an increase in appropriations in the Airport Capital Fund in the amount of \$42,808, funded by Airport Capital Fund reserves, for the Airline Terminal Gate 1 Reconfiguration Project.

Action: Approved the recommendations; Agreement Nos. 26,470; 26,471 (June 4, 2019, report from the Public Works Director).

NOTICES

- 16. Subject: The City Clerk has on Thursday, May 30, 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 Finance Committee accepted the Fiscal Year 2019 third quarter interim financial statements and proposed third quarter adjustments.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING

- 17. **Subject: Introduction Of Ordinance Amendments To Chapter 30.150 For Inclusionary Rental Housing (660.01)**

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings contained in this Council Agenda Report;
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 30.150 of the Santa Barbara Municipal Code Pertaining to Inclusionary Housing Requirements for the Average Unit-Size Density Incentive Program; and
- C. Authorize the Community Development Director to execute a first amendment to City Agreement No. 26,338 with Keyser Marston Associates, Inc. to increase the contract amount by \$6,000, for a total amount not to exceed \$41,000, for an analysis and update of the data, assumptions, and recommendations of the 2017 Keyser Marston Associates Economic Feasibility Study.

Public Hearing opened: 2:55 p.m.

Documents:

- June 4, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.
- May 15, 2019, letter from Peter Lewis.
- May 20, 2019, letter from Detlev Peikert.
- May 29, 2019, letter from Abe Porter.
- May 29, 2019, letter from Lisa Carlos.
- May 30, 2019, letter from Christine Pierron and Brian Cearnal.

Speakers:

- Staff: Project Planner Jessica Metzger, Principal Planner Daniel Gullett; Housing and Human Services Manager Laura Dubbels; Assistant City Attorney Tava Ostrenger; City Planner Renee Brooke.
- Consultant: David Doezema, Keyser Marston Associates
- Planning Commission: Chair Lesley Wiscomb.
- Housing Authority of the City of Santa Barbara: Rob Fredericks.
- Members of the Public: Lindsey Baker, League of Women Voters; Alejandra Melgoza, CAUSE; Lisa Carlos; Dick Flacks, SBCAN; Sheila Lodge; Greg Reitz; Linda Honikman; Mickey Flacks; Lorna Boyd; Steve Fort, Coastal Housing Coalition; Anna Marie Gott; Austin Herlihy; Matias Eusterbrock.

Public Hearing closed: 4:40 p.m.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendation, with a change that projects fewer than 10 units to have the option to build a unit or pay the in-lieu fee.

Substitute motion:

Substitute motion by Councilmember Rowse to remand to the Planning Commission, the items Planning Commission requested to review and return to Council in as short an order as possible.

Substitute motion made by Councilmember Rowse died for lack of a second.

Substitute motion:

Substitute motion by Councilmembers Dominguez/Gutierrez to approve the staff recommendation, except for 10% inside the Central Business District and 15% outside the Central Business District, with the change that projects fewer than 10 units to have the option to build a unit or pay the in-lieu fee.

Vote on substitute motion:

Majority roll call vote to approve substitute motion made by Councilmembers Dominguez/Gutierrez (Ayes: Councilmembers Dominguez, Gutierrez, Sneddon, Harmon; Noes: Councilmembers Friedman, Rowse, Mayor Murillo.)

Motion:

Councilmembers Harmon/Sneddon to provide direction to the Planning Commission to consider the Ordinance in the light of the direction on the inclusionary piece and to ask that the Planning Commission return to Council with recommendations for the full Ordinance.

Amendment motion:

Motion to amend by Councilmember Dominguez to amend the ordinance to make the effective date September 1, 2017.

Amendment motion made by Councilmember Dominguez failed for lack of a second.

Amendment motion:

Motion to amend by Councilmember Dominguez to amend the ordinance to make the effective date January 1.

Amendment motion failed for lack of a second.

Vote on original motion:

Unanimous roll call vote to approve the motion made by Councilmembers Harmon/Sneddon (Abstain: Councilmembers Friedman, Rowse).

Motion:

Councilmembers Dominguez/Rowse to approve staff recommendation C; Agreement No. 26,338.1.

Vote:

Unanimous roll call vote.

RECESS

5:41 p.m. – 5:53 p.m.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

18. Subject: Appeal Of Parks And Recreation Commission's Action To Conditionally Approve Removal Of Nine Trees Located In The Front Yard Setback At 801 And 829 Sea Ranch Drive (570.08)

Recommendation: That Council deny the appeal filed by Marilyn Dove, and uphold the Parks and Recreation Commission's decision to conditionally approve the removal of nine trees located at 801 and 829 Sea Ranch Drive.

Ex Parte Communications:

- Mayor Murillo spoke with the appellant regarding the appellant's technological presentation at the appeal hearing.

Public Hearing opened: 5:56 p.m.

Documents:

- June 4, 2019, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by applicants.
- PowerPoint presentation prepared and made by appellant.
- May 28, 2019, letter from Theo Theofannous.
- May 30, 2019, letter from Marilyn Dove.

Speakers:

- Staff: Urban Forest Superintendent Timothy Downey, Parks and Recreation Director Jill Zachary.
- Parks and Recreation Commission: Member Kathryn McGill.
- Street Tree Advisory Committee: Vice-Chair Bruce Reed.
- Appellant: Marilyn Dove.
- Applicant: Sam Marphis.

Councilmember Rowse was excused from the meeting at 6:25 p.m.

Public Hearing closed: 6:40 p.m.

Motion:

Councilmembers Dominguez/Murillo to deny appeal and use finding that character of neighborhood would not be materially affected.

Vote:

Majority roll call vote (Noes: Councilmember Sneddon; Absent: Councilmember Rowse).

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Giffords Law Center event; 2. Hospitality Olympics; 3. Memorial Day Ceremony.
- Councilmember Friedman attended the following events or meetings: 1. Environmental Defense Center Green and Blue Awards; 2. Central Coast Water Authority tour of facilities with Councilmember Sneddon; 3. Tajiguas Resource Recovery Project groundbreaking; 4. Memorial Day Ceremony; 5. World Business Academy transportation forum.
- Councilmember Gutierrez attended the following events or meetings: 1. Memorial Day ceremonies; 2. Produced series of service announcements for Youth Council; 3. Youth Council gathering and appreciation of retiring employee Susan Young.
- Councilmember Sneddon attended the following events or meetings: 1. Spirit of Service Award Program; 2. Sarah House benefit; 3. CCRB special meeting; 4. I Madonnari; 5. Memorial Day Ceremony; 6. Visited Santa Barbara Artwork; 7. Tajiguas Resource Recovery Project groundbreaking; 8. Math Super Bowl; 9. Central Coast Water Authority tour; 10. Environmental Defense Center Green and Blue Awards.
- Mayor Murillo attended the following events or meetings: 1. Invoca ribbon cutting; 2. Youth Council gathering and appreciation of retiring employee Susan Young; 3. Environmental Defense Center Green and Blue Awards; 4. Cathy Feldman memorial; 5. Harding School Westside transportation workshop; 6. Artists flea market and festival at Westside hardware store parking lot; 7. Film Festival Education Center ribbon cutting with Councilmember Gutierrez; 8. Tajiguas shovel turning; 9. Public Works building staff safety meeting; 10. Public Works barbeque; 11. Meet the Mayor Planned Parenthood fundraiser; 12. Westside Boys and Girls Club industrial kitchen ribbon cutting; 13. Spirit of Service Awards; 14. Fundraiser at Solstice Workshop.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:54 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