



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
September 19, 2017
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider 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 date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman

PUBLIC COMMENT

Speakers: Tom Widroe, Santa Barbara City Watch; Denice Adams.

CEREMONIAL ITEMS

- 1. Subject: Proclamation: National Alcohol & Drug Addiction Recovery Month September 2017**

Recommendation: Not applicable.

The Mayor presented the Proclamation to Wim Verkaik, John Gabbert, and Jill Frandsen.

CONSENT CALENDAR (Item Nos. 2 - 7)

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Rowse/Hotchkiss to approve the Consent Calendar Item Nos. 2 - 7 as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Adoption Of Ordinance For 2017-2018 Hourly Employees Memorandum Of Understanding

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2017-2018 Memorandum of Understanding Between the City of Santa Barbara and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit.

Action: Approved the recommendation; Ordinance No. 5805; Agreement No. 25,981.

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 Human Resources Division.

Action: Approved the recommendation; Resolution No. 17-093 (September 19, 2017, report from the Administrative Services Director; proposed resolution).

4. Subject: Adoption Of Debt Management Policy

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting a Debt Management Policy.

Action: Approved the recommendation; Resolution No. 17-094 (September 19, 2017, report from the Finance Director; proposed resolution).

- 5. Subject: A City Council site visit originally scheduled for October 2, 2017 at 1:30 p.m. to the property located at 427 Verano Drive, has been cancelled due to the withdrawal of the appeal. (000.00)**

Recommendation: Not applicable.

- 6. Subject: The public hearing originally scheduled for October 3, 2017 at 2:00 to hear an appeal of the Parks and Recreation Commission's decision denying removal of (1) Quercus agrifolia, Coast Live Oak in the setback at 427 Verano Drive, has been cancelled due to the withdrawal of the appeal. (000.00)**

Recommendation: Not applicable.

NOTICES

- 7. Subject: The City Clerk has on Thursday, September 14, 2017, 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. (000.00)**

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Hart reported that the Committee met to hear a review the 2017 Fourth Quarter budget information and accepted the interim financial statements for the Fiscal Year ending June 30, 2017, approved the proposed adjustments to the Fiscal Year 2017 budget as detailed in the attached Schedule of Proposed Fourth Quarter Budget adjustments. The Committee's decisions were unanimous.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

8. Subject: Inclusion Of Socially Responsible Investing In Annual Investment Policy, Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2018 And Authorization For Divestment Of Two Investments

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 16-058; and
- B. Authorize the Finance Director to divest of the \$250,000 certificate of deposit with Goldman Sachs Bank USA and the \$2,000,000 corporate note with Wells Fargo Bank.

Documents:

- September 14, 2017, email from Maria Blasco.
- September 15, 2017, email from Patty Pagaling.
- September 15, 2017, email from Bryan Rosen.
- September 17, 2017, email from Renee Rottner.
- September 19, 2017, email from Gib Jenkins.
- September 19, 2017, email from Mary Price.
- September 19, 2017, email from Isabella Castillos.
- September 19, 2017, email from Gary Atkins.
- September 19, 2017, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance and Treasury Manager Julie Nemes.
- Members of the public: Tom Widroe, Santa Barbara City Watch; Katie Davis, Sierra Club; Dhriti Ramesh; Loren, Santa Barbara Standing Rock Coalition; Barbara Savage, Tribal Trust Foundation; Vivian Stanton; Joseph Borbrow, SB Stand Rock Coalition; Martha Sadler, Sierra Club; Emiliano Campobello; Ernestine DeSoto, Standing Rock; Bonnie Raisin.

Motion:

Councilmembers Hart/Dominguez to adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 16-058; Resolution No. 17-095.

Vote:

Majority roll call vote (Noes: Councilmembers Hotchkiss and Rowse).

Motion:

Councilmembers Hart/Dominguez to authorize the Finance Director to divest of the \$250,000 certificate of deposit with Goldman Sachs Bank USA and the \$2,000,000 corporate note with Wells Fargo Bank.

Vote:

Majority roll call vote (Noes: Councilmembers Hotchkiss, Rowse, White).

9. Subject: Fiscal Year 2017 Fourth Quarter Review

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the Fiscal Year Ended June 30, 2017;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2017; and
- C. Approve the proposed adjustments to the Fiscal Year 2017 budget as detailed in the attached Schedule of Proposed Fourth Quarter Budget Adjustments.

Documents:

- September 19, 2017, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance and Treasury Manager Julie Nemes, Accounting Manager Jennifer Tomaszewski.

Motion:

Councilmembers Rowse/Hart to approve the staff recommendations.

Vote:

Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

10. Subject: Capital Improvement Program Annual Report For Fiscal Year 2017

Recommendation: That Council hear a presentation from staff regarding the Capital Improvement Program Annual Report for Fiscal Year 2017.

Documents:

- September 19, 2017, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: City Engineer Brian D'Amour.

Councilmembers heard the report and their questions were answered.

11. Subject: Amendment Of The Fiscal Year 2017-2018 Budget To Incorporate A List Of Pavement Overlay Projects Required To Receive Funding From Senate Bill 1, Which Funds A Small Fraction Of The City's Streets Infrastructure Needs

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the Fiscal Year 2017-2018 Budget to Incorporate a List of Projects Funded by Senate Bill 1: The Road Repair and Accountability Act.

The title of the Resolution was read.

Documents:

- September 19, 2017, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Streets Operations and Infrastructure Manager Jim Dewey; Supervising Engineer Ashleigh Shue.

Motion:

Councilmembers Murillo/White to approve the recommended action; Resolution 17-096.

Vote:

Unanimous roll call vote.

MAYOR AND COUNCIL REPORTS

12. Subject: Request From Mayor Schneider And Councilmember Murillo To Designate Santa Barbara A BEE CITY USA Affiliate

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Designating Santa Barbara as a BEE CITY USA ® Affiliate and follow guidelines for bee-friendly park maintenance.

Documents:

- September 19, 2017, report from the City Administrator's Office.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Members of the public: Tom Rem, S.B. Bee Guild; Sigrid Wright, Community Environmental Council; Wesley Roe, Santa Barbara Permaculture Network; Antonio DiLoreto, Bee City USA; Ann Dusenberry, Beekeepers Guild of SB; Patricia Rosen; Bryan Rosen; Ernestine Ygnacio De Soto, Chumash Mow Bear.

Motion:

Councilmembers Hart/Dominguez to adopt the staff recommendation; Resolution 17-097.

Vote:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on his attendance at the following meeting/event: cleanup of Orpett Park.
- Councilmember Rowse reported on his attendance at the following meetings/events: 1. Downtown Parking Committee; 2. Fighting Back Steering Committee regarding upcoming cannabis issues.
- Councilmember White reported on his attendance at the following meeting/event: Housing Task Force.
- Councilmember Dominguez reported on his attendance at the following meeting/event: League of California Cities Annual Conference with Mayor and Finance Director.
- Mayor Schneider reported on her attendance at the following meetings/events: 1. Attendance at League of Cities conference; 2. Congratulated Councilmember Dominguez for appointment as incoming Second Vice President of League of California Cities Channel Counties Division; 3. Attended press conference opposing SB 649; and 4. Met with Senator Jackson and Assemblymember Limon at the State Capitol.

CLOSED SESSIONS

13. Subject: Conference with City Attorney – Existing and Anticipated Litigation

Recommendation: That Council:

- A. 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:

- Edd Byrnes v. City of Santa Barbara, et al.; SBSC Case No. 17CV01829
- Patricia Dzukola v. City of Santa Barbara, SBSC Case No. 15CV04278 (significant case)
- Judy Johnson v. City of Santa Barbara, SBSC Case No. 17CV00709
- Mitchell Kriegman v. City of Santa Barbara, SBSC Case No. 17CV00921
- Eduardo Olide v. City of Santa Barbara; SBSC Case No. 17CV02956
- Alisa Schaefer v. California Dept. of Transportation, et al.; SBSC Case No. 17CV01133
- Caroline Moncure Taylor v. City of Santa Barbara; SBSC Case No. 17CV01514
- Bridget Bryden v City of Santa Barbara, et al., SBSC Case No. 17CV01529 (significant case)
- Elizabeth Chapman, et al. v. City of Santa Barbara, et al.; SBSC Case No. 17CV02496
- Pete Leyva v. City of Santa Barbara, et al., SBSC Case No. 16CV00963 (significant case)
- Yvette Waugh v. City of Santa Barbara, SBSC Case No. 16CV03844
- David Anduri, Sr. et al. v. City of Santa Barbara, et al., USDC Case No. 2:16-CV-05461-MWF-SK (significant case)
- Richard Burt, et al. v. City of Santa Barbara, et al., USDC Case No. CV1607340-AG(AJW)
- 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 (significant case)
- CATT Properties, LLC v. City of Santa Barbara; SBSC Case No. 17CV03729
- City of Goleta v. City of Santa Barbara, et al.; SBSC Case No. 17CV03270
- City of Santa Barbara v. CDM Smith, Inc., et al; SBSC Case No. 174CV01847
- Thomas Felkay as Trustee of the Emprise Trust v. City of Santa Barbara; SBSC Case No. 17CV03351

- Kendra L. Feshbach, et al. v. City of Santa Barbara, SBSC Case No. 16CV03385; Related to SBSC Case No. 17CV00447
 - Theodore P. Kracke v. City of Santa Barbara, VSC Case No. 56-2016-00490376-CU
 - Passion Moore v. City of Santa Barbara, et al., COA Case No. 15-55316
 - Rolland Jacks v. City of Santa Barbara, et al., COA Case No. B253474
- B. Hold a closed session to confer with the City Attorney regarding anticipated litigation pursuant to Government Code section 54956.9(d)(2)&(e)(3), and take appropriate action as needed.

The anticipated litigation is based upon:

- Significant exposure to litigation arising out of the tort claim of Irene Revenko and Roger Proksch (significant case)
- Significant exposure to litigation arising out of the tort claim of John and Debra Stein (significant case)
- Significant exposure to litigation arising out of the tort claim of 669 Del Parque Water Main Break

Scheduling: Duration, 60 minutes; anytime

Report: None Anticipated

Documents:

September 19, 2017, report from the City Attorney.

Time:

4:45 p.m. – 6:15 p.m.

No report made.

ADJOURNMENT

The Mayor adjourned the meeting in the memory of former Councilmember Jeanne Graffy.

Mayor Schneider adjourned the meeting at 6:15 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on 10-10, 2017.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER