



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
OCTOBER 3, 2017  
COUNCIL CHAMBERS, 735 ANACAPA**

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## **CALL TO ORDER**

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

## **PLEDGE OF ALLEGIANCE**

Mayor Schneider.

## **ROLL CALL**

Councilmembers present: Jason Dominguez (2:01), Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White (2:01), Mayor Schneider.

Councilmembers absent: None.

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

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **CEREMONIAL ITEMS**

- 1. Subject: Proclamation Recognizing October As National Arts And Humanities Month (120.04)**

Action: Proclamation presented to Sarah York-Rubin, representing the Santa Barbara County Office of Arts and Culture.

- 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 October 31, 2017.

Documents:

- October 3, 2017, report from the City Administrator's Office.

Speakers:

- Staff: City Administrator Paul Casey, Award Recipient Monica Broumand.

By consensus, the Council approved the recommendation and the following employees were recognized:

5 Years

Ryan Aijian, Police Officer, Police Department  
John Barriga, Police Officer, Police Department  
Michael J. Chung, Police Officer, Police Department  
Yumaira Kirk, Police Officer, Police Department  
Thomas Scott, Project Engineer II, Public Works Department  
Kaitlyn Sipes, Police Officer, Police Department  
Laura Yanez, Project Engineer II, Public Works Department

10 Years

Tomas Alferez, Maintenance Worker II, Public Works Department  
Lynn Houston, Marketing Coordinator, Airport  
John Ingram, Police Sergeant, Police Department  
Betsy Teeter, Planning Technician II, Community Development Department

15 Years

Katharina Carls, Human Resources Assistant, Administrative Services Department

20 Years

Paul Casey, City Administrator, City Administrator's Office  
Winther Martinez, Water Treatment Plant Operator III, Public Works Department  
Ann Marie Marx, Fire Inspector II, Fire Department  
Ricardo Venegas, Neighborhood and Outreach Services Coordinator II,  
Parks and Recreation Department

25 Years

Monica Broumand, Harbor Patrol Officer, Waterfront Department  
30 Years

Gregory Lowe, Heavy Equipment Technician, Waterfront Department

Juanita Smith, Police Sergeant, Police Department

Robert "Dion" Tait, Parking Supervisor, Public Works Department

## **PUBLIC COMMENT**

Speakers: Tom Widroe, Santa Barbara City Watch; Lizzie Rodriguez, Restorative Community Network; Brittany Bland-Boyd; Bryan Rosen.

## **CONSENT CALENDAR (Item Nos. 3 – 12)**

The titles of the ordinances and resolutions related to Consent Items were read.

### **Motion:**

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

### **Vote:**

Unanimous roll call vote.

### **3. Subject: Agreement For People Assisting The Homeless (PATH) To Operate A Homeless Shelter At 816 Cacique Street (660.04)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$202,100 with People Assisting the Homeless (PATH), for the operation of a homeless shelter and related services.

Speakers: Tessa Madden, People Assisting the Homeless; Tom Widroe, Santa Barbara City Watch; Jose Arturo Gallegos, Milpas Community Association.

Action: Approved the recommendation, Agreement No. 25,989 (October 3, 2017, report from the Community Development Director).

### **4. Subject: Approval Of Benefit Plans Effective January 1, 2018 (430.06)**

Recommendation: That Council:

- A. Approve the Aetna medical plans as replacement to the Blue Shield medical plans;
- B. Approve renewal of the Kaiser Permanente medical plan, Delta Dental Plans, Vision Service Plan, Employee Assistance Program (EAP), Flexible Spending Accounts, and Hartford Life and Disability Insurance Plans; and
- C. Authorize the City Administrator to execute any necessary contracts or amendments to agreements or contracts.

Action: Approved the recommendations (October 3, 2017, report from the Administrative Services Director).

**5. Subject: Parks And Recreation Community Foundation Douglas Family Preserve Endowment Distribution Of \$30,000 (570.05)**

Recommendation: That Council increase estimated revenues and appropriations in the Fiscal Year 2018 Parks and Recreation Department Miscellaneous Grants Fund by \$30,000 for the maintenance of the Douglas Family Preserve.

Action: Approved the recommendation (October 3, 2017, report from the Parks and Recreation Director).

**6. Subject: Agreement For Central Coast Collaborative On Homelessness (660.04)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$100,355 with the Northern Santa Barbara County United Way for the Central Coast Collaborative on Homelessness (C3H) effort.

Speakers: Chuck Flacks, Central Coast Collaborative on Homelessness; Jose Arturo Gallegos, Milpas Community Association.

Action: Approved the recommendation, Agreement No. 25,990 (October 3, 2017, report from the Community Development Director).

**7. Subject: Amendment To Community Promotion Contract With Santa Barbara Region Chamber Of Commerce For Operation Of Airline Terminal Visitor Booth (560.01)**

Recommendation: That Council authorize the City Administrator to execute an amendment to Agreement Number 25,933 with the Santa Barbara Region Chamber of Commerce to increase the contract amount to operate the Airline Terminal Visitor Booth for Fiscal Year 2018 in the amount of \$10,000, for a total contract amount of \$69,500.

Action: Approved the recommendation, Agreement No. 25,933.1 (October 3, 2017, report from the Airport Director).

**8. Subject: Set A Date For Public Hearing Regarding Planning Commission's Denial Of Appeal Of Decision Of Staff Hearing Officer To Revoke Storefront Collective Dispensary Permit (000.00)**

Recommendation: That Council:

- A. Set the date of November 14, 2017, at 2:00 p.m. for hearing the appeal filed by Appellants Matt Armor, Greg McGee (represented by attorney Luis Esparza) of the Planning Commission's Decision on Appeal of Decision of Staff Hearing Officer to revoke a Medical Marijuana Storefront Collective Dispensary Permit for property owned by Richard G. Doolittle located at 3617 State Street in Ontare Plaza, Assessor's Parcel No. 051-051-005; C-R/USS Commercial Restricted/Upper State Street Area Zones; General Plan Designation Commercial/Medium High Residential (MST2014-00438). The project includes interior improvements to the existing tenant space at 3617 State Street in Ontare Plaza. A building permit has not been issued, nor has the dispensary begun operating; and
- B. Set the date of November 13, 2017, at 1:30 p.m. for a site visit to the property located at 3617 State Street in Ontare Plaza.

Action: Approved the recommendations.

**9. Subject: Set A Date For Public Hearing Regarding Historic Landmarks Commission's Denial Of Review After Final for 35, 36, and 118 State Steet (000.00)**

Recommendation: That Council set the date of November 21, 2017, at 2:00 p.m. for hearing the appeal filed by Douglas E. Fell, Attorney, on behalf of 35 State Street Hotel Partners (Owner) and Michael Rosenfeld (Applicant), of the Historic Landmarks Commission's Review After Final denial of changes proposed for the Plaza Lawn on Area C (118 State Street) of the "Entrada de Santa Barbara" Project. The Project is located at 35, 36, and 118 State Street, Assessor's Parcel No. 033-102-018, 033-111-013, and 033-081-013; HRC-2/S-D-3 Zones; Local Coastal Plan Designation: Hotel and Related Commerce. The Project is a commercial development on three sites that includes 123 hotel rooms, approximately 22,326 square feet of commercial floor area, and 256 parking spaces.

Action: Approved the recommendations.

**CONSENT PUBLIC HEARING**

**10. Subject: Public Hearing And Amendment Of Citywide Franchise With MarBorg Industries, Inc. (510.04)**

Recommendation: That Council:

- A. Hold a public hearing, as required by the City Charter Section 1401, regarding an amendment to the exclusive franchise for Citywide solid waste collection services with MarBorg Industries, Inc.; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Solid

Waste Collection and Disposal Franchise Granted by the City to MarBorg Industries, Inc., on February 12, 2013 by City Ordinance No. 5608.

Action: Approved the recommendations (October 3, 2017, report from Finance Director; proposed ordinance).

## NOTICES

11. Subject: The City Clerk has on Thursday, September 28, 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)
12. **Subject: Recruitment for City Advisory Groups: (000.00)**
  - A. The City Clerk's Office will accept applications through November 2, 2017, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's office through Tuesday, October 10, 2017;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, November 14, 2017, at 4:00 p.m. (Estimated Time), Tuesday, November 21, 2017, at 4:00 p.m. (Estimated Time), and Tuesday, December 5, 2017, at 6:00 p.m.;
  - C. Due to the timing of the 2017 General Municipal Election, only applicants who submit their applications to the City Clerk's office by October 19, 2017, at 5:30 p.m. will be eligible to participate the November 14 interview; all applicants will be eligible to participate in the November 21 or December 5 interviews; and
  - D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, December 12, 2017.

This concluded the Consent Calendar.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### POLICE DEPARTMENT

#### 13. **Subject: Police Department Update (110.03)**

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

#### Documents:

- October 3, 2017, report from the Police Chief.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

- Staff: Police Chief Lori Luhnnow, Lieutenant Dan McGrew; Captain William Marazita, Transportation Planning and Parking Manager Rob Dayton.

Discussion:

- Staff made presentations on Police Department updates, including an introduction of the new recruitment class and a discussion of the downtown ambassador program.

## **PUBLIC WORKS DEPARTMENT**

### **14. Subject: Water And Wastewater Capacity Charges (540.13)**

Recommendation: That Council:

- A. Hold a hearing to consider comments from the public regarding proposed water and wastewater capacity charges; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Rescinding a Portion of Resolution No. 17-058, and Adopting Certain Water and Wastewater Capacity Charges.

Documents:

- October 3, 2017, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed resolution.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark; Administrative Analyst Malcolm Hamilton
- Consultant: Michael DeGroot, Bartles Wells Associates.

The title of the proposed resolution was read.

Motion:

Councilmembers White/Dominguez to approve the recommended action;  
Resolution No. 17-099

Vote:

Unanimous roll call vote.

## **PUBLIC HEARINGS**

### **QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM**

### **15. Subject: Appeal Of The Architectural Board Of Review's Denial Of Revisions To An Approved Project At 1298 Coast Village Road (640.07)**

Recommendation: That Council:

- A. Consider the appeal of Douglas E. Fell, on behalf of property owner, Olive Oil & Gas, LP, and the applicant, John Price, of the Architectural Board Of Review's denial of revisions to an approved project located at 1298 Coast Village Road; and
- B. Direct staff to return to Council with a Decision and Findings resolution reflecting the outcome of the appeal.

Councilmember White stated that he would recuse himself from participating in this item due to the fact that the applicant, John Price, was a source of income to him.

Councilmember White left the meeting at 4:36 p.m.

## RECESS

4:36 – 4:46 p.m.

Public Comment opened: 4:47 p.m.

Speakers:

- Staff: Associate Planner Kathleen Kennedy.
- Architectural Board of Review: Architectural Board of Review member Kirk Gradin.
- Members of the Public: Andrea Eltinger; Architectural Board of Review member Howard Wittausch.
- Applicant/Appellant: Douglas Fell, Fell Marking et al.; Jeff Gorrell, LMA Architects; Jens Amlie, Van Sande Structural Consultants.

Councilmembers reported the following ex parte conversations:

- Councilmember Rowse met with Mr. Gorrell regarding the project.
- Councilmember Hotchkiss discussed the project briefly with a real estate colleague; he also spoke briefly with Mr. Wittausch about it, and asked Mr. Wittausch to come to Council to discuss it.
- Councilmember Murillo had a brief discussion with Mr. Price at the site visit for the project regarding the use for the project and what would benefit the community.
- Mayor Schneider met with Mr. Price and Mr. Gorrell before the project went to the Architectural Review Board.

Public Comment closed: 5:25 p.m.

Motion:

Councilmembers Murillo/Rowse to uphold the appeal and 1. Grant Review After Final approval for the requested increase in building height of 12 7/8 inches finding that the increase is appropriate and necessary in order to comply with the updated seismic code requirements, and 2. Grant Review After Final approval for

the spa, subject to the approval of a setback modification by the Planning Commission, finding that the spa location proposed by the applicant is compatible with the desirable architectural qualities and characteristics of the neighborhood and is an appropriate improvement for its location.

Vote:

Unanimous roll call vote (Abstain: Councilmember White).

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Murillo reported on her attendance at the C3H meeting.
- Mayor Schneider reported on her speaking at a Long Beach conference regarding cannabis regulation.
- Councilmember Hart reported on: 1. attending a Landlord/Tenant task force meeting; and 2. attending the Santa Barbara Police Foundation event with Mayor Schneider and Councilmember Dominguez.

### **PUBLIC COMMENT (IF NECESSARY)**

### **CLOSED SESSIONS**

#### **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 Michael Hollis v. City of Santa Barbara, WCAB Case #: ADJ10490504.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

October 3, 2017, report from the City Attorney.

Time:

5:31 – 5:40 p.m.

Councilmember White not present.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:40 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on October 24, 2017.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

  
\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER