



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JANUARY 15, 2019
COUNCIL CHAMBERS, 735 ANACAPA**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 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, 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

Members of the Public: Phil Walker; Anna Marie Gott.

ITEMS REMOVED FROM CONSENT CALENDAR

4. Subject: Downtown Organization Annual Assessment Report For 2019 And Intention To Levy (180.02)

Recommendation: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2019; 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 Downtown Business

Improvement District and Old Town Business Improvement District Assessment Rates for 2019, at a Public Hearing to be Held on February 26, 2019, at 2:00 p.m.

Councilmember Rowse stated that he would be recusing himself from consideration of this item due to his dues-paying membership in the organization.

Speaker: Carrie Kelly, Downtown Santa Barbara.

Documents:

- January 15, 2019, report from the City Administrator
- Proposed Resolution.

Motion:

Councilmembers Friedman/Dominguez to approve the staff recommendations; Resolution No. 19-003.

Vote:

Unanimous roll call vote (Abstain: Councilmember Rowse).

CONSENT CALENDAR (Item Nos. 1-3, 5-11)

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

Motion:

Councilmembers Dominguez/Gutierrez to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive reading and approve the amended minutes of the regular meeting of December 4, and December 11, 2018, and the minutes of the special meetings of September 29, and December 4, 2018.

Action: Approved the recommendation.

2. Subject: 2018-2020 General Unit MOU Benefit Amendment (440.02)

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. 5865, the 2018-2020 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit), Increasing Benefit Contribution Amounts.

Action: Approved the recommendation (January 15, 2019, report from the Administrative Services Director; proposed Ordinance).

3. Subject: Adoption Of Ordinance For Lease Agreement With Beachcomber Santa Barbara, LLC, At The Cabrillo Pavilion (570.05)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Parks and Recreation Director to Execute a Concession Lease Agreement, with Beachcomber Santa Barbara, LLC, for 2,262 Square Feet of Interior Space, and 1,330 Square Feet of Exterior Patio Space at the Cabrillo Pavilion, 1118 East Cabrillo Boulevard, Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5867; Agreement No26,351.

5. Subject: November 2018 Investment Report (260.02)

Recommendation: That Council accept the November 2018 Investment Report.

Action: Approved the recommendation (January 15, 2019, report from the Finance Director).

6. Subject: Funding For Transition House Extraordinary Water Bill (610.01)

Recommendation: That Council approve a grant agreement with Transition House, subject to approval as to form by the City Attorney, that provides the use of \$28,602 in Socio-Economic Mitigation Program (SEMP) funds for assistance to Transition House to cover an extraordinary water bill received in July 2018 associated with a large leak for their affordable housing property located at 320 South Salinas Street and authorize the appropriation of such funds.

Action: Approved the recommendation; Agreement No. 26,352 (January 15, 2019, report from the Community Development Director).

7. Subject: Increase In Construction Change Order Authority For El Cielito Pump Station Upgrades Project (540.06)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the El Cielito Pump Station Upgrades Project, with Lash Construction, Inc., Contract No. 26024, in the amount of \$170,000, for a total Project expenditure authority of \$1,249,200.

Action: Approved the recommendation (January 15, 2019, report from the Public Works Director).

8. Subject: Approval Of Standard Equipment List For The Water Resources Division (540.01)

Recommendation: That Council find it to be in the City's best interest to waive formal purchase bidding requirements and approve the Standard Equipment List for the Water Resources Division for the next three years, in accordance with Section 4.52.070 (L) of the Municipal Code.

Action: Approved the recommendation (January 15, 2019, report from the Public Works Director).

9. Subject: Contract For Construction Of Sidewalk Infill Projects On La Cumbre Road And Old Coast Highway Funded By Measure A Sales Tax Revenue (530.04)

Recommendation: That Council:

- A. Award a contract with S&H Civilworks in their low bid amount of \$955,500 for construction of new sidewalk on La Cumbre Road and Old Coast Highway as defined in the Measure A Cycle 3 Sidewalk Infill Project, Bid No. 3887; and authorize the Public Works Director to execute the contract and approve expenditures up to \$72,000 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 Measure A grant funding and authorize the increase in appropriations and estimated revenues in the Streets Grant Capital Fund by \$400,466, funded by Measure A South Coast Safe Routes to School Program grants, for the participating share of the construction of the Old Coast Highway Sidewalk Infill project;
- C. Approve an increase in appropriations in the Streets Operating Fund in the amount of \$28,166, funded from Streets Operating Fund reserves, and authorize the transfer of such funds to the Streets Grant Capital Fund for a portion of the La Cumbre Sidewalk Infill project construction costs not covered by the grant;
- D. Approve the transfer of \$258,037 in remaining appropriated funds in the Sidewalk Repairs project from the Measure A Capital Fund to the Streets Grant Capital Fund for the Old Coast Highway Sidewalk Infill project construction costs not covered by the grant;
- E. Approve the transfer of \$213,937 in remaining appropriated funds in the Sidewalk Repairs project from the Measure A Capital Fund to the Streets Grant Capital Fund for the remaining portion of the La Cumbre Sidewalk Infill project construction costs not covered by the grant;
- F. Authorize an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of \$258,034, funded by a transfer

from the Measure A Capital Fund, to fund Old Coast Highway Sidewalk Infill project design and construction costs not covered by the grant; and

- G. Authorize an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of \$242,103, funded by transfers from the Streets Operating Fund and Measure A Capital Fund, to fund La Cumbre Sidewalk Infill project construction costs not covered by the grant.

Action: Approved the recommendations; Agreement No. 26,353 (January 15, 2019, report from the Public Works Director).

10. Subject: Annual Agreement For Surface Water And Groundwater Monitoring (540.1)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2018 through October 31, 2019, with a City cost share not to exceed \$221,881; and
- B. Authorize the Public Works Director to approve expenditures up to \$20,000 for extra monitoring services that may be required by the United States Geological Survey.

Action: Approved the recommendation; Agreement No. 26,354 (January 15, 2019, report from the Public Works Director).

NOTICES

- 11. Subject: The City Clerk has on Thursday, January 10, 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 ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Ordinance Committee heard updates to nondiscrimination policies in the Municipal Code; the changes will come to Council with unanimous Ordinance Committee approval.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

12. Subject: Professional Services Agreement With Kosmont & Associates To Prepare Downtown Strategic Plan (570.06)

Recommendation: That Council:

- A. Authorize the City Administrator to negotiate and execute a contract for professional services with Kosmont & Associates not to exceed \$84,680 to prepare a strategic plan and specific recommendations to revitalize the downtown area;
- B. Authorize the transfer of appropriations within the General Fund in the amount of \$84,680 from Police Department salary savings through vacant positions to the City Administrator's Office to fund the contract; and
- C. Receive a brief update on activities related to improving economic vitality downtown.

Documents:

- January 15, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson; Community Development Director George Buell; Transportation Planning and Downtown Parking Manager Rob Dayton.
- Members of the Public: Amy Cooper; Anna Marie Gott.
- Historic Landmarks Commission: Anthony Grumbine.

Motion:

Councilmembers Rowse/Friedman to approve the staff recommendations.

Vote:

Unanimous roll call vote; Agreement No. 26,355.

PUBLIC WORKS DEPARTMENT

13. Subject: Police Station And De La Guerra Plaza Revitalization Update And Contract For Public Outreach For De La Guerra Plaza Revitalization (530.01)

Recommendation: That Council:

- A. Receive an Update on the Site Selection for the Police Station;
- B. Receive an Update on Plans for De La Guerra Plaza Revitalization; and
- C. Authorize the Public Works Director to execute an amendment to City Professional Services Agreement No. 21900089 with Suzanne Elledge Planning and Permitting Services to add a scope of work for design and implementation of a public outreach program for the De La Guerra Plaza Revitalization in an amount of \$36,875, and authorize the Public Works Director to approve expenditures of up to \$3,687 for extra services that may result from necessary changes in the scope of work.

Documents:

- January 15, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- January 15, 2019, email from Noey Turk, President of Board of Directors for SBCFMA.

Speakers:

- Staff: Principal Project Planner Brad Hesse; Public Works Director Rebecca Bjork; Senior Planner Sara Iza.
- Consultant: Brian Cearnal.
- Members of the Public: Sam Edelman, Santa Barbara Farmers Market Association, Nancy Bertelsen, Santa Barbara Farmers Market, Anna Marie Gott, Mark Sheridan.

Motion:

Councilmembers Rowse/Dominguez to approve the staff recommendations.

Vote:

Unanimous roll call vote; Agreement No. 26,356.

RECESS

4:33 – 4:39 p.m.

PUBLIC HEARINGS

14. Subject: Introduction Of Ordinance Amendments To The Average Unit-Size Density Incentive Program (330.01)

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings contained in this Council Agenda Report; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Adding Section 31.150.100, and Amending Sections 30.150.090, and 30.155.080 Regarding Residential Parking Requirements for Projects Proposed Under the Average Unit-Size Density Incentive Program; Prohibition Against the Conversion of Residential Units Developed Under the AUD Program to Hotels or Similar Uses; and to Exclude Existing Mobile Home Parks from Incentives in the Average Unit-Size Density Incentive Program.

Public Hearing opened: 4:39 p.m.

The title of the Ordinance was read.

Documents:

- January 15, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.
- January 8, 2019, letter from Chris Barros.
- January 14, 2019, letter from Lindsey Baker, League of Women Voters Santa Barbara.

Speakers:

- Staff: Project Planner Jessica Metzger; Principal Planner Daniel Gullett.
- Members of the Public: Mark Sheridan; Shannon Batchev, Coastal Housing Coalition; Sharon Rose, the Mobile Homeowners Project; Anna Marie Gott.

Public Hearing closed: 5:32 p.m.

Motion:

Councilmembers Rowse/Friedman to approve the staff recommendations and to direct staff to bring back to Council, among phase two options for the mobile home AUD overlay, an opportunity for mobile home park only zoning.

Vote:

Unanimous roll call vote.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARINGS

15. Subject: Appeal Of The Single Family Design Board's Project Design Approval Of Exterior Alterations To A Single-Unit Residence At 2444 Santa Barbara Street (640.07)

Recommendation: That Council:

- A. Consider the appeal of Raymond M. Karam and Scott Burns of the Single Family Design Board's Project Design Approval of unpermitted exterior alterations to an existing single-unit residence; and
- B. Direct staff to return to Council with a Resolution of the Council's Decision and Findings reflecting the outcome of the appeal, including the necessary CEQA finding.

Public Hearing opened: 5:49 p.m.

Ex Parte Communications:

- Councilmember Sneddon met with Scott Burns outside of this proceeding; Mr. Burns advocated for his position and showed photos of the project interior.

- Mayor Murillo met with Scott Burns and Ray Karam after the site visit; Mr. Burns advocated for his position.

Documents:

- January 15, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Appellant.
- PowerPoint presentation prepared and made by Applicant.

Speakers:

- Staff: Senior Planner Irma Unguetza; Planning Technician David Eng; Assistant City Attorney Tava Ostrenger; Chief Building Official Andrew Stuffer.
- Single Family Design Board: Board Member Brian Miller
- Appellant: Scott Burns; Ray Karam.
- Applicant: Neil Botts, West Bluff Capital; Rob Croteau, West Bluff Capital.

Public Hearing closed: 6:58 p.m.

Discussion:

- Councilmembers discussed the appeal and items for further review by the design review board. Councilmembers' questions were answered.

Motion:

Councilmembers Dominguez/Murillo to deny appeal and to refer the following list to the SFDB or staff as appropriate: 1. landscape, including wood chips; 2. deck; 3. garage door; 4. stucco seal; 5. gutter; 6. tree; 7. restoring picture window; 8. wooden porch elevation; 9. narrow, tall door; 10. water runoff across the sidewalk; 11. review foundation; 12. roof.

Vote:

Motion failed to pass by roll call vote (Ayes: Councilmembers Gutierrez, Dominguez, Murillo; Noes: Councilmembers Friedman, Rowse, Sneddon).

Motion:

Councilmembers Sneddon/Rowse to uphold appeal and to refer the following list of concerns: 1. landscape, including wood chips; 2. deck; 3. garage door; 4. stucco seal; 5. gutter; 6. tree; 7. restoring picture window; 8. wooden porch elevation; 9. narrow, tall door; 9. water runoff across the sidewalk; 10. review foundation; 11. roof.

Vote:

Motion failed to pass by roll call vote (Ayes: Councilmembers Friedman, Rowse, Sneddon; Noes: Councilmembers Gutierrez, Dominguez, Murillo).

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Montecito remembrance event; 2. Thanked Supervisor Wolf for her service; 3. League of California Cities meeting on coastal cities group; 4. PATH neighborhood partnership meeting.
- Councilmember Friedman attended the following events or meetings: 1. Retirement reception for former County Supervisor Janet Wolf; 2. Tour of Maritime Museum; 3. Library Advisory Board; 4. Thomas fire and debris flow memorial in Montecito.
- Councilmember Gutierrez attended the following events or meetings: 1. Flag dedication at Courthouse in remembrance of first responders from tragedies one year ago; 2. Memorial with other Councilmembers at Montecito Raise Your Light Event; 3. Parent meeting at Harding School and spoke with Harding parents; 4. Space X rocket launch at Vandenberg.
- Councilmember Sneddon attended the following events or meetings: 1. Returned from teaching excursion in Hawaii and read the names of January 9 debris flow victims while there; 2. Met with head of HSGS (Hawaiian disaster preparedness).
- Mayor Murillo attended the following events or meetings: 1. Teen Coalition meeting; 2. Human trafficking vigil by SB Act; 3. Mark McGuinness speech at Maritime Museum; 4. Montecito anniversary event; 5. SBCAG regional meeting.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:53 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on February 5, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER