



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
MARCH 3, 2020
COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Cathy Murillo 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 day.)

PLEDGE OF ALLEGIANCE

Mayor Murillo.

ROLL CALL

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Angela Rodriguez.

CEREMONIAL ITEMS

1. **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 March 31, 2020.

Action: City Administrator Paul Casey listed the names of the service award recipients. Mayor Murillo presented service awards to Fire Captain Michael Hoose; Fire Captain Michael Myers; Fire Battalion Chief Michael de Ponce; and Fire Engineer John Jack Franklin.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Phil Walker; Mikael; Aron; Renny Dean Strong; Peter Tilton; Anna Marie Gott.

Mayor Murillo made a statement regarding information received on Coronavirus, which will be discussed at a following Council meeting.

ITEMS REMOVED FROM CONSENT CALENDAR

4. Subject: Adoption Of Ordinance For A License Agreement With Verizon Wireless For Deregulated Wireless Installations On City Street Lights (530.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a License Agreement with Verizon Wireless, Doing Business as Airtouch Cellular, for Deregulated Wireless Installations on City Street Lights, Including Authorization for Site Specific Licenses.

Speakers:

- Staff: Principle Engineer Adam Hendel, City Attorney Ariel Calonne, Assistant City Attorney John Doimas.
- Members of the public: Julian Gresser; Jason; Anne-Odile Thomas; Alexandra C. Cole, 5G Free Santa Barbara; Dr. Connie Stomper, Community Planet Foundation; Jack Reed, Community Planet Foundation; Teresa Seiler, 5G Free; Kimi Vandyk, 5G Free Santa Barbara; Katie Mickey, 5G Free Santa Barbara; Simone Temkin, 5G Free Santa Barbara; Brad Smith; Lesley Weinstock, 5G Free Santa Barbara; Renny Dean Strong; Sean Mortland; Anna Marie Gott.

Documents:

- March 3, 2020, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- March 3, 2020, email from Julian Gresser.

Motion:

Councilmembers A. Gutierrez/Sneddon to postpone this item for 90 days or longer.

Vote:

Majority roll call vote (Ayes: Councilmembers A. Gutierrez, O. Gutierrez, Harmon, Sneddon; Noes: Councilmembers Friedman, Jordan, and Mayor Murillo).

CONSENT CALENDAR (Item Nos. 2 – 3, 5 – 13)

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

Motion:

Councilmembers Jordan/Friedman to approve the Consent Calendar as recommended, other than Item No. 4, which was pulled for a separate vote.

Vote:

Unanimous roll call vote.

2. **Subject: Introduction Of Ordinance Amending The Municipal Code To Simplify And Streamline Application Of The Living Wage Ordinance (800.08)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 9, Chapter 9.128 of the Municipal Code by the Amendment of Sections 9.128.010 and 9.128.020 Relating to Payment of Mandatory Minimum Wage by City Service Contractors.

Action: Approved the recommendation (March 3, 2020, report from the Acting Finance Director; proposed Ordinance).

3. **Subject: Adoption Of The 2019-2021 Memorandum Of Understanding Between The City Of Santa Barbara And The Santa Barbara City Firefighters' Association (440.02)**

Recommendation: That Council ratify the Memorandum of Understanding between the City and the Santa Barbara Firefighters' Association by adoption of, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2019-2021 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association.

Action: Approved the recommendation; Ordinance No. 5936; Agreement No. 26,648.

5. **Subject: Adoption Of Ordinance Authorizing The City Of Santa Barbara To Join The California Choice Energy Authority Joint Powers Authority As An Associate Member (630.06)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the City of Santa Barbara to Join the California Choice Energy Authority Joint Powers Authority, and the City Administrator to Execute an Associate Member Agreement and an Administrative Services Agreement for On-going Administrative Services Commencing upon the Delivery of Electrical Service by Santa Barbara Clean Energy.

Action: Approved the recommendation; Ordinance No. 5937; Agreement Nos. 26,649; 26,650.

6. Subject: Adoption Of Resolution Approving Facilities And Energy Division Position Changes To Support The City's Energy And Climate Program (530.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 19-041, the Position and Salary Control Resolution for Fiscal Year 2020, Affecting the Facilities and Energy Division of the Public Works Department, Effective March 3, 2020.

Action: Approved the recommendation; Resolution No. 20-015 (March 3, 2020, report from the Public Works Director; proposed Resolution).

7. Subject: A Resolution Denying The Appeal And Upholding The Decision Of The Planning Commission Regarding 104 Jorgensen Lane (640.07)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Denying the Appeal and Upholding the Decision of the Planning Commission Granting Approval of a Tentative Subdivision Map, Two Street Frontage Modifications, and Two Public Street Frontage Waivers at 104 Jorgensen Lane.

Action: Approved the recommendation; Resolution No. 20-016 (March 3, 2020, report from the Community Development Director; proposed Resolution).

8. Subject: A Resolution Upholding The Appeal And Reversing The Decision Of The Planning Commission For The Hotel Project At 302 And 308 W. Montecito Street (640.07)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Upholding the Appeal of Edward St. George to Reverse the August 15, 2019 Decision of the Planning Commission Denying the Development Plan and Request for Transfer of Existing Development Rights for the Hotel Project at 302 and 308 W. Montecito Street.

Action: Approved the recommendation; Resolution No. 20-017 (March 3, 2020, report from the Community Development Director; proposed Resolution).

9. Subject: Professional Services Agreements With Moffat & Nichol For The Thousand Steps Repair Project (570.05)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a First Amendment to Professional Services Agreement No. 25,914 with Moffatt & Nichol in the

amount of \$10,302 to complete engineering design and construction documents for the Thousand Steps Repair Project; and

- B. Authorize the Parks and Recreation Director to execute a professional services agreement with Moffatt & Nichol in the amount of \$39,305 to complete coastal/wave uprush analyses for the Thousand Steps Repair Project, and approve expenditures of up to \$3,930 to cover any cost increase that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement Nos. 25,914.1; 26,651 (March 3, 2020, report from the Parks and Recreation Director).

10. Subject: Designation Of The Santa Barbara Neighborhood Clinics' Nonresidential Development Project At 621 West Micheltorena Street As A Community Benefit Project (640.01)

Recommendation: That Council designate the proposed Santa Barbara Neighborhood Clinics project at 621 West Micheltorena Street as a Community Benefit Project pursuant to Santa Barbara Municipal Code (SBMC) Chapter 30.170, and allocate 3,352 square feet of nonresidential floor area to the project from the Nonresidential Growth Management Program's Community Benefit Category.

Documents:

- March 3, 2020, report from the Community Development Director.
- February 20, 2020, letter from Robert S. Freeman.
- February 20, 2020, letter from Laurie B. Ashton.
- February 24, 2020, letter from Ruth Loomer.
- February 28, 2020, email from Victoria Hazard.

Action: Approved the recommendation.

11. Subject: Professional Services Agreement With The Gordian Group Inc. To Administer Job Order Contracting Program (530.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Contract with The Gordian Group, Inc. in the amount not to exceed \$250,000 for as-needed Job Order Contracting services for various maintenance and repair projects.

Action: Approved the recommendation; Agreement No. 26,652 (March 3, 2020, report from the Public Works Director).

12. Subject: Fiscal Year 2020 Mid-Year Review (250.02)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the six months ended December 31, 2019;
- B. Accept the Fiscal Year 2020 Interim Financial Statements for the Six Months Ended December 31, 2019; and
- C. Approve the proposed mid-year adjustments to Fiscal Year 2020 appropriations and estimated revenues as detailed in the attached schedule of Proposed Mid-Year Adjustments.

Action: Approved the recommendations (March 3, 2020, report from the Finance Director).

NOTICES

13. Subject: The City Clerk has on Thursday, February 27, 2020, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

PUBLIC HEARINGS

- 14 Subject: Public Hearing For The 2020 Downtown And Old Town Business Improvement Districts Assessments (290.00)**

Recommendation: That Council:

- A. Conduct a public hearing and consider appropriate protests to the renewal of the Downtown and Old Town Business Improvement Districts Assessments for 2020, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Confirming the Fiscal Year 2020 Downtown and Old Town Business Improvement District Annual Assessment Report and Renewing the Downtown Business Improvement District and Old Town Business Improvement District Assessments for 2020.

Public Hearing opened: 3:56 p.m.

Documents:

- March 3, 2020, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson.
- Downtown Santa Barbara: Executive Director Carrie Kelly; Bob Stout.
- Member of the Public: Jim Knell, Sima Corp.

Public Hearing closed: 4:08 p.m.

Motion:

Councilmembers Jordan/Harmon to approve the staff recommendations;
Resolution No. 20-018.

Vote:

Unanimous roll call vote.

RECESS

4:11 p.m. – 4:19 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ATTORNEY

15. Subject: City Prosecutor Enforcement Update (160.03)

Recommendation: That Council receive a presentation on the City Prosecutor's enforcement assignments and provide direction on enforcement priorities.

Documents:

- March 3, 2020, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant City Attorney Denny Wei, City Attorney Investigator William Alva.
- Member of the Public: Anna Marie Gott.

Discussion:

- Topics covered included types of code enforcements such as zoning and building, alcohol violations, illegal dumping, unlawful camping, gun violence restraining orders, vicious dog cases, barking dog mediations, dog seizures, and short term vacation rentals. Further details of tracking code violations, current case distribution, the prosecution team's time allocation, tangible results, and public feedback were discussed. Councilmembers' questions were answered.

16. Subject: Interim Ordinance To Declare Existing Law On Short-term Rentals In Residential Zones (640.09)

Recommendation: That Council adopt, by reading in full, and by a four-fifths vote, an Interim Urgency Ordinance of the Council of the City of Santa Barbara to Declare Existing Law by Amending Santa Barbara Municipal Code Section 30.295.040 P. Pertaining to the Definition of Hotels and Similar Uses.

The Interim Urgency Ordinance was read in its entirety.

Documents:

- March 3, 2020, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.
- Proposed Interim Urgency Ordinance.
- Revised Proposed Interim Urgency Ordinance.
- March 2, 2020, letter from Travis C. Logue.

Speakers:

- Staff: City Attorney Ariel Calonne, Assistant City Attorney Dan Hentschke.
- Members of the Public: Jarrett Gorin, Vanguard Planning; Joe Liebman, Tiffany Haller; James Fenkner; Bryce Anderson; Anna Marie Gott; Eric Ryan.

Motion:

Councilmembers Jordan/Harmon to approve the staff recommendation with the added section of the revised Interim Urgency Ordinance.

Vote:

Unanimous roll call vote; Ordinance No. 5938.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Friedman attended the following events or meetings: 1. Central Coast Water Authority Board meeting; 2. Farmers Market Subcommittee meeting; 3. Julia Child's Culinary Experience kickoff; and 4. Voted during Primary Election.
- Councilmember Sneddon attended the following events or meetings: 1. Historic Landmarks Commission meeting; 2. Parks & Recreation Committee meeting; 3. Farmers Market Subcommittee meeting; and 4. Women's March in Silence.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:25 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on May 12, 2020.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER