



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
OCTOBER 8, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:00 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, Meagan Harmon, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Norma Estrada.

CEREMONIAL ITEMS

1. Subject: National Arts And Humanities Month - October 2019 (120.04)

Action: Proclamation presented to Arts Advisory Committee Chair Margie Yahyavi.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Mark Marshall Wofford, YMCA Dudek Surf Rider Foundation; Phil Walker; Keith Coffmon-Grey, Quilt Project Gold Coast; Ariana Rose Palmisano; Laura Watson, Twilight Holiday Market of Santa Barbara; Vashti Wilson, Twilight Holiday Market of Santa Barbara; Monica Ramirez, C.A.R.R.M.A.; Anna Marie Gott; Chris Chandler; Denice S. Adams; Kathryn Clarke; Daniel Dreifuss; Pat; Lorna Boyd; Ben White; Rosa; Ruta Abeciuniene, International Business Women Network.

CONSENT CALENDAR (Item Nos. 2-11)

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

Motion:

Councilmembers Sneddon/Murillo to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. **Subject: Introduction Of Ordinance Relating To Water Pollution Prevention, Protection Of Watercourses, City Storm Drain System, And Water Use (540.1)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Sections 14.04.020 and 14.08.180, and Chapter 14.56, and Repealing Chapter 16.15, Relating to Protection of Waters, Watercourses, the City's Storm Drain System, Waste of Water, and Irrigation Meters.

Action: Approved the recommendation (October 8, 2019, report from the Public Works Director; proposed Ordinance).

3. **Subject: Introduction Of Ordinance For A Lease Agreement With Marine Services (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Marine Services Located at 117-G Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation (October 8, 2019, report from the Waterfront Director; proposed Ordinance).

4. **Subject: Introduction Of Ordinance For A Lease Agreement With Harbor Marine Works (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Harbor Marine Works Located at 122 Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation (October 8, 2019, report from the Waterfront Director; proposed Ordinance).

5. Subject: Adoption Of Ordinance For Lease Agreement With Senseker Engineering, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Lease Agreement Between the City of Santa Barbara and Senseker Engineering, Inc, a California Corporation, for 10,880 Square Feet of Office and Light Manufacturing Space at 100 Frederick Lopez Road at Santa Barbara Airport for a Term of Five Years with a Five-Year Option to Extend.

Action: Approved the recommendation; Ordinance No. 5909; Agreement No. 26,568.

6. Subject: Resolution Approving The Application And Acceptance Of \$300,000 In Grant Funds From The California Coastal Conservancy's Proposition One Grant Program For The Arroyo Burro Creek Restoration At Palermo Drive – Property Acquisition (570.05)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving the Application and Acceptance of \$300,000 in Grant Funds from the California Coastal Conservancy's Proposition One Grant Program for the Arroyo Burro Creek Restoration at Palermo Drive – Property Acquisition.

Action: Approved the recommendation; Resolution No. 19-073 (October 8, 2019, report from the Parks and Recreation Director; proposed Resolution).

7. Subject: Approval Of Benefit Plans Effective January 1, 2020 (430.06)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Electing to be Subject to the Public Employees' Medical and Hospital Care Act at Unequal Amounts for Employees and Annuitants for CalPERS Employees;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Electing to be Subject to the Public Employees' Medical and Hospital Care Act at Unequal Amounts for Employees and Annuitants with Respect to a Recognized Employee Organization for Non-PERS Employees;
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Electing to be Subject to the Public Employees' Medical and Hospital Care Act at Unequal Amounts for Employees and Annuitants with

Respect to a Recognized Employee Organization for Non-PERS Mayor and City Council;

- D. Approve renewal of the Delta Dental Plans; Vision Service Plan; Employee Assistance Program (EAP); Flexible Spending Accounts, and Hartford Life and Disability Insurance Plans; and
- E. Authorize the City Administrator to execute any necessary contracts or amendments to agreements or contracts.

Action: Approved the recommendations; Resolution Nos. 19-074, 19-075, 19-076 (October 8, 2019, report from the City Administrator; proposed Resolutions).

8. Subject: Bureau Veritas Plan Check Services Contract Amendment For Fiscal Year 2020, Second Quarter (610.01)

Recommendation: That Council authorize the Community Development Director to execute a Tenth Amendment to the Bureau Veritas Professional Service Agreement (City Agreement No. 25,387) by \$75,000 for a total amount of \$1,194,000 since its inception in 2015, for building plan check and inspection services.

Action: Approved the recommendation; Agreement No. 25,387.01 (October 8, 2019, report from the Community Development Director).

9. Subject: Amendment To Professional Services Agreement With Kosmont Companies For Consulting Services Related To Downtown Recommendations (170.01)

Recommendation: That Council authorize the City Administrator to execute a contract amendment for an increase of \$3,700 for a total amount of \$88,380 in Professional Services Agreement No. 26,355 with Kosmont Consulting for recommendations for downtown revitalization.

Action: Approved the recommendation; Agreement No. 26,355.1 (October 8, 2019, report from the City Administrator).

10. Subject: Architectural Board Of Review Special Recruitment Schedule (140.02)

Recommendation: That Council:

- A. Approve the City Clerk's office to accept applications through Monday, October 21, 2019, at 5:00 p.m. to fill three vacancies on the Architectural Board of Review;
- B. Conduct interviews of applicants for these vacancies during the Council Meetings on October 8, October 15, October 22, and October 29, 2019; and
- C. Make an appointment to fill the vacancies on Tuesday, November 12, 2019.

Speaker:

- Member of the Public: Anna Marie Gott.

Action: Approved the recommendations.

NOTICES

11. Subject: The City Clerk has on Thursday, October 3, 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 Committee heard three items, two of which the Committee approved to forward to Council, and one item will be brought back to the Committee at another meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING

12. **Subject: Designation Of The Nelson Medical Building And The Schauer Printing Building As City Landmarks (640.06)**

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Designating the Nelson Medical Building at 30 West Arrellaga Street as a City Landmark; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Designating the Schauer Printing Building at 1126 Santa Barbara Street as a City Landmark.

Public Hearing opened: 2:59 p.m.

The titles of the Resolutions were read.

Documents:

- October 8, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Resolutions.

Speakers:

- Staff: Associate Planner Nicole Hernandez.
- Members of the Public: Gretchen Lieff, Lulah Maria Riggs Society; Robert F. Adams, Lulah Maria Riggs Society; Patti Mallen, The Towbes Group; Dawn Ziemer.
- Historic Landmarks Commission: Commissioner Michael Drury.

Public Hearing closed: 3:21 p.m.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendations.

Vote:

Unanimous roll call vote; Resolution Nos. 19-077, 19-078.

Action:

Proclamations presented to Dawn Ziemer and Patti Mallen.

WATERFRONT DEPARTMENT

13. Subject: Introduction Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking (550.08)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Sections 17.36.010, 17.36.020, 17.36.035, 17.36.040, 17.36.060, and 17.36.080 Pertaining to Waterfront Parking.

The title of the Ordinance was read.

Councilmember Rowse stated that he was recusing himself from this item because he is a current slip holder.

Councilmember Rowse was excused from the meeting at 3:22 p.m.

Documents:

- October 8, 2019, report from the Waterfront Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.
- October 8, 2019, letter from Mike Howgie.

Speakers:

- Staff: Acting Waterfront Director Brian Bosse.
- Harbor Commission: Commissioner John Stedman.
- Members of the Public: Mark Cooper; Mike Howgie; Greg Gorga, S.B. Maritime Museum; Merit McCrea; Skip Abed; Stephen Byrd.

Motion:

Councilmembers Friedman/Murillo to approve the staff recommendation with the 90" height limit.

Vote:

Majority roll call vote (Ayes: Councilmembers Friedman, Gutierrez, Harmon, Sneddon, and Mayor Murillo; Abstention: Councilmember Dominguez; Recused: Councilmember Rowse).

Councilmember Rowse returned to the meeting at 4:31 p.m.

MAYOR AND COUNCIL REPORTS

15. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to October 15, and October 22, 2019.
(Estimated Time: 4:00 p.m.)

Documents:

- October 8, 2019, report from the City Administrator.

The following applicants were interviewed:

Architectural Board of Review

Kevin Moore

Leslie Colasse

Lauren Anderson

Arts Advisory Committee

Patrick Melroy

Alexandra Terry

Civil Service Commission

Alan T. Kasehagen

Community Development and Human Services Committee

Jan Campbell

Community Events and Festivals Committee

Antoinette Chartier

Barry Dorsey

Abaseh Mirvali

Downtown Parking Committee

Lynn Goebel

Fire and Police Commission

Lynn Goebel

Max Peck

Sharon Byrne

Harbor Commission
Merit McCrea
Historic Landmarks Commission
Michael Drury
Library Board
Lynn Goebel
Margaret Crocco
Neighborhood Advisory Council
Max Peck
Santa Barbara Youth Council
Lily Dauphinee
Kent Dunn
Transportation and Circulation Committee
David Collom
Water Commission
Arturo Keller
Charles Hamilton
Megan Birney

RECESS

5:23 p.m. – 5:32 p.m.

COMMUNITY DEVELOPMENT DEPARTMENT

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

14. Subject: Appeal Of The Single Family Design Board's Final Approval For A Single-Unit Residence At 1201 Del Oro Avenue (640.07)

Recommendation: That Council:

- A. Consider the appeal of Russ Sheppel and Gary Gentile of the Single Family Design Board's Final Approval of a single residential unit at 1201 Del Oro Avenue; and
- B. Direct staff to return to Council with decision and findings reflecting the outcome of the appeal.

Councilmember Rowse stated that he was recusing himself from this item due to his proximity to the property that is subject of this appeal hearing.

Councilmember Rowse was excused from the meeting at 5:32 p.m.

Public Hearing opened: 5:32 p.m.

Ex-Parte Communications:

- None to report.

Documents:

- October 8, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- October 8, 2019, photos from appellant.

Speakers:

- Staff: Senior Planner Irma Unzueta; City Planner Renee Brooke; Assistant City Attorney Tava Ostrenger;
- Single Family Design Board: Member Fred Sweeney.
- Appellants: Gary Gentile; Russ Sheppel.
- Applicants: Chris Price; Tom Meaney; Abbe Hopkins; Joe Hopkins.
- Member of the Public: Carol Jimenez.

Public Hearing closed: 7:03 p.m.

Motion:

Councilmembers Friedman/Harmon to deny the appeal based on the compatibility findings as found by the Single Family Design Board.

Vote:

Majority roll call vote (Ayes: Councilmembers Gutierrez, Harmon, Sneddon, Dominguez, Friedman, Mayor Murillo; Recused: Councilmember Rowse).

City Attorney Ariel Calonne stated that staff will not need to come to Council with decision and findings.

Councilmember Rowse returned to the meeting at 7:15 p.m.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- No reports were given at this meeting.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to closed session at 7:12 p.m. and stated that a report is anticipated.

CLOSED SESSIONS

16. Subject: Conference Involving Joint Power Agency – Cachuma Conservation Release Board (CCRB) (540.03)

Recommendation: That Council hold a closed session pursuant to Government Code section 54956.96 to discuss and take action, if necessary, on matters involving the Cachuma Conservation Release Board.

Discussion will concern:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code section 54956.9(d) (One potential case)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Government Code section 54956.9(d)(1) (One case: State Water Resources Control Board adjudicatory proceeding regarding Cachuma Project water rights)

Name of City representative on CCRB: Councilmember Sneddon
Name of Alternate City representative on CCRB: Councilmember Friedman

Scheduling: Duration: 15 minutes; anytime
Report: None anticipated

Documents:

- October 8, 2019, report from the City Attorney.

Time:

- 7:45 p.m. - 8:25 p.m.

No report made.

17. Subject: Conference With City Attorney – Anticipated Litigation – Gov. Code § 54956.9(d)(4): Initiation Of Litigation On One Matter (160.03)

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Documents:

- October 8, 2019, report from the City Attorney.

Time:

- 7:28 p.m. - 7:45 p.m.

Report:

- City Attorney Ariel Calonne stated that the City Council unanimously approved a motion made by Councilmembers Rowse/Harmon to authorize the City Attorney's office to initiate litigation against the Goleta Water District relating to damage to public property near the Santa Barbara Airport.

18. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 Theodore P. Kracke v. City of Santa Barbara, VSC Case No. 56-2016-00490376-CU-WM-VTA.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

- October 8, 2019, report from the City Attorney.

Time:

- 7:15 p.m. - 7:28 p.m.

No report made.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 8:25 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 12, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER

