CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
JULY 16, 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 12:30 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, Meagan Harmon, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: Assistant City Administrator Pam Antil, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

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 July 31, 2019.

   Action: Service awards presented in person to Police Captain Marylinda Arroyo, and Senior Treatment Plant Technician Chito Macario.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Caroline Abate; Phil Walker; Anna Marie Gott; Warren Nocon, Hotel Californian; Mark Marshall Wofford; John Kays; Blake Monks.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2020 By Amending Resolution No. 19-037 (230.05)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2020 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified.

The title of the Resolution was read.

Speakers:

- Members of the Public: Anna Marie Gott.

Documents:

- July 16, 2019, report from the Finance Director.
- Proposed Resolution.

Motion:

Councilmembers Friedman/Harmon to approve staff recommendation; Resolution No. 19-045.

Vote:

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

9. Subject: Grant Agreement With South Coast Community Media Access Center (510.04)

Recommendation: That Council authorize the Finance Director to execute a two year grant agreement, in a form acceptable to the City Attorney, with the South Coast Community Media Access Center for management of the public and educational access television channels in an amount of $313,100 per year plus an amount for public, educational and government access (PEG) capital expenditures equal to 50% of the actual PEG fees received by the City for Fiscal Year 2020 and 2021.

Councilmember Gutierrez announced that he was recusing himself from participating on this item due to his employment with the South Coast Community Media Access Center.

Documents:

- July 16, 2019, report from the Finance Director.

Motion:

Councilmembers Dominguez/Rowse to approve staff recommendation; Agreement No. 26,499.

Vote:

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

CONSENT CALENDAR (Item Nos. 2 – 4, 6 – 8, 10 - 19)

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

Motion:

Councilmembers Friedman/Sneddon to approve Items 2 – 4, 6 – 8, and 10 – 19 as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meetings of May 21, June 4, June 11, and June 25, 2019, and the minutes of the special meetings of May 16, May 21, May 29, and June 3, 2019.

Action: Approved the recommendation.

3. Subject: Reintroduction Of Ordinance Amendments To Chapter 30.150 For Inclusionary Rental Housing (660.01)

Recommendation: That Council:

A. Make the California Environmental Quality Act findings contained in this Council Agenda Report;

B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 30.150 of the Santa Barbara Municipal Code Pertaining to Inclusionary Housing Requirements for the Average Unit-Size Density Incentive Program; and

C. Approve the second amendment to City Agreement No. 26,338 with Keyser Marston Associates, Inc., to increase the contract amount by a not-to-exceed amount of $2,500, for a total amount of $43,500, for further input regarding the update to the 2017 Keyser Marston Associates Economic Feasibility Study.

Documents:

- July 16, 2019, report from the Community Development Director.
- July 16, 2019, email from Michael Cheng.
- July 16, 2019, memorandum from City Attorney.

Speakers:

- Members of the Public: Anna Marie Gott.

Action: Approved the recommendations; Agreement No. 26,338.2 (July 16, 2019, report from the Community Development Director; proposed Ordinance).

4. Subject: Introduction Of Ordinance For Amendment To Lease Agreement No. 200846 With Mercury Air Center – Santa Barbara, Inc. DBA Atlantic Aviation (560.01)

Recommendation: That Council:

A. Approve and authorize the Airport Director to execute a Fourth Amendment to Lease Agreement No. 200846 with Mercury Air Center Inc. dba Atlantic Aviation (Atlantic), a California Corporation, to recover approximately 14,755 square feet of ramp space and to adjust the monthly rent to account for the reduction, effective upon adoption of the enabling Ordinance and ending May 31, 2020; and

B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Fourth Amendment to Lease Agreement No. 200846 Between the City and Mercury Air Center Santa Barbara, Inc. DBA Atlantic Aviation, a California Corporation.

Action: Approved the recommendations (July 16, 2019, report from the Airport Director; proposed Ordinance).

6. Subject: Resolution For Records Destruction For The Public Works 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 Public Works Department in the Administration, Engineering, Streets Operations and Infrastructure, Transportation Planning and Parking, and Water Resources Divisions.

Speakers:

- Members of the Public: Bonnie Donovan.
- Staff: Parking and Transportation Manager Robert Dayton.

Action: Approved the recommendation; Resolution No. 19-046 (July 16, 2019, report from the Public Works Director; proposed Resolution).

7. **Subject: Resolution For Authorization To Apply For Grant Funding For The Bohnett Park Revitalization Project (570.05)**

Recommendation: That Council:

A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Submit a Statewide Park Development and Community Revitalization Program Grant Application for the Bohnett Park Revitalization Project; and

B. If awarded grant funds, execute a State of California Standard Agreement in an amount not to exceed $1,350,000.

Action: Approved the recommendations; Resolution No. 19-047 (July 16, 2019, report from the Parks and Recreation Director; proposed Resolution).

8. **Subject: Approval Of A Resolution Authorizing Submittal Of Application For CalRecycle Used Oil Payment Program – Tenth Cycle (570.03)**

Recommendation: That Council:

A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Waterfront Director to Submit an Application to the California Department of Resources Recycling and Recovery (CalRecycle) for Fiscal Years 2020 Through 2024 Used Oil Payment Program (OPP) and for Payment for Fiscal Year 2020 in the Amount of $27,000; and

B. Authorize an increase appropriations and estimated revenues in the Waterfront Enterprise Fund in the amount of $27,000 for Fiscal Year 2020.

Action: Approved the recommendations; Resolution No. 19-048 (July 16, 2019, report from the Waterfront Director; proposed Resolution).

10. **Subject: Installation Of Shared Use Passenger Processing System At Santa Barbara Airport (560.04)**

Recommendation: That Council:

A. Authorize the Airport Director to execute an agreement with Amadeus Airport IT Americas, Inc. for the purchase of a shared use passenger processing system (SUPPS) software technology for use by Alaska Airlines, American Airlines, Contour Airlines, Delta Air Lines, Frontier Airlines, Sun Country Airlines and United Airlines to process passengers at Santa Barbara Airport, in an amount not to exceed $243,416, and approve an additional $24,342 for contingency costs that may be necessary during the implementation;

B. Authorize the Airport Director to execute an agreement for system warranty and support services by Amadeus Airport IT Americas, Inc. for one year, with four additional one-year options, in an amount not to exceed $260,113 for the five year period; and

C. Appropriate $106,807 in the Airport Capital Fund for the SUPPS Project from available Airport Capital Fund reserves.

Action: Approved the recommendations; Agreement Nos. 26,500; 26,501 (July 16, 2019, report from the Airport Director).

11. Subject: Measure A Project Cooperative Agreement For Cycle 4 Of The South County Measure A Safe Routes To School And The Bicycle And Pedestrian Grant Programs (530.01)

Recommendation: That Council:

A. Authorize the Public Works Director to execute the Measure A Project Cooperative Agreement between the City of Santa Barbara and the Santa Barbara County Association of Governments;

B. Approve an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of $50,225 for the La Cumbre Junior High School Multiuse Path Concept Design funded from the Measure A grants; and

C. Approve an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of $127,203 for the Santa Barbara Street and Yanonali Street Intersection Improvement Project funded from the Measure A grants.

Action: Approved the recommendations; Agreement No. 26,502 (July 16, 2019, report from the Public Works Director).

12. Subject: Report Of Emergency Projects: Wood Glen Hall Storm Drain Repair And Alameda Padre Serra Culvert Repair (530.04)

Recommendation: That Council receive a report regarding two Emergency Purchase Orders to Lash Construction, Inc., totaling $89,655, for the emergency repairs to the Wood Glen Hall Storm Drain and the Alameda Padre Serra Culvert.

Action: Approved the recommendation (July 16, 2019, report from the Public Works Director).

13. Subject: Purchase Order With Downstream Services, Inc. For Permeable Paver Maintenance (530.04)

Recommendation: That Council find it in the best interest of the City to waive the bidding process as provided in Municipal Code Section 4.52.060(H) and authorize the General Services Manager to issue a Purchase Order to Downstream Services, Inc. (Downstream Services) in the amount of $44,570 for permeable paver maintenance.

Action: Approved the recommendation (July 16, 2019, report from the Parks and Recreation Director).

14. Subject: Contract Amendment For Phase II Archaeological Investigation Of De La Guerra Plaza (530.01)

Recommendation: That Council authorize the Public Works Director to execute an amendment to City Professional Services Agreement No. 26,366 with Applied Earthworks to add a scope of work for conclusion of a necessary Phase II Archaeological Investigation for the De La Guerra Plaza Revitalization Project in the amount of $9,723 for a total contract amount of $49,644.

Action: Approved the recommendation; Agreement No. 26,366.1 (July 16, 2019, report from the Public Works Director).

15. Subject: Community Promotion Contract With Old Spanish Days (180.02)

Recommendation: That Council authorize the City Administrator to execute a community promotion contract with Old Spanish Days in an amount of $104,100, covering the period from July 1, 2019 to June 30, 2020.

Action: Approved the recommendation; Agreement No. 26,504 (July 16, 2019, report from the City Administrator).

16. Subject: Appropriation Of Funds For Type III Fire Engine (520.03)

Recommendation: That Council authorize an increase in appropriations by $390,000 in the Fleet Replacement Fund, funded from existing Fire Fleet Reserves.

Speaker:

- Members of the Public: Phil Walker.

Action: Approved the recommendation (July 16, 2019, report from the Fire Chief).

17. Subject: Acceptance Of California Fire Foundation Grant (520.03)

Recommendation: That Council:

A. Accept a grant for $5,000 from the California Fire Foundation for the purchase of wildland hose packs; and

B. Increase estimated revenues and appropriations in the Fiscal Year 2020 in the Fire Miscellaneous Grants Fund budget in the amount of $5,000.

Action: Approved the recommendation (July 16, 2019, report from the Fire Chief).

18. Subject: Approval Of Contract With USI Insurance Services For Benefits Broker/Consulting Services (430.06)

Recommendation: That Council authorize the City Administrator to execute an agreement with USI Insurance Services (formerly Wells Fargo Insurance Services) for benefits broker/consulting contract services.
Action: Approved the recommendation; Agreement No. 26,505 (July 16, 2019, report from the City Administrator).

NOTICES

19. Subject: The City Clerk has on Thursday, July 11, 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 considered changes to Harbor Municipal Code sections, which was unanimously approved by the Ordinance Committee to be considered by Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

20. Subject: Adoption Of A Resolution Accepting The California Coastal Commission's Suggested Modifications To The Updated Coastal Land Use Plan (650.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Acknowledging Receipt of the California Coastal Commission (CCC) Resolution of Certification of a Local Coastal Program (LCP) Amendment (PLN2018-00070 / LCP-4-SBC-18-0062-1) and Acceptance of the Suggested Modifications Included in that Resolution of Certification.

The title of the Resolution was read.

Documents:
- July 16, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.
- Proposed Resolution revised July 16, 2019.

Speakers:
- Staff: Project Planner Melissa Hetrick, Principal Planner Daniel Gullett.

Motion:
Councilmembers Rowse/Sneddon to approve the staff recommendation; Resolution No. 19-049.

Vote:
Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

21. Subject: City Of Santa Barbara Access Advisory Committee Update (640.03)

Recommendation: That Council receive an update on the recent activities of the Access Advisory Committee.

Documents:
- July 16, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:
- Staff: Facility and Energy Manager Mike Wiltshire.
- Members of the Public: Bonnie Raisin; Anna Marie Gott.

Discussion:
- Topics covered included the history of the Committee, the role of the Committee, recent activities and achievements, and future goals and objectives. Councilmembers' questions were answered.

CITY ADMINISTRATOR

22. Subject: November 5, 2019 Election Matters, Including Sufficiency Of Initiative Petition And Resolutions Regarding Los Angeles County Services And Election Official Duties (110.03)

Recommendation: That Council:

A. Receive the City Clerk Services Manager's report as to the sufficiency of the citizen-sponsored initiative petition regarding Zoning Information Reports as filed with the City Clerk's Office on May 9, 2019;

B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Requesting Certain Election Services to be Provided by the County of Los Angeles; and

C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Regarding Election Official Duties for the November 5, 2019 City of Santa Barbara General and Special Municipal Election.

The titles of the Resolutions were read.

Documents:
- July 16, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolutions.
- July 14, 2019, letter from Thomas Schultheis.

Speakers:
- Staff: City Clerk Services Manager Sarah Gorman.

Motion:
Councilmembers Dominguez/Rowse to approve the staff recommendation; Resolution Nos. 19-050, 19-051.

Vote:
Unanimous roll call vote.

CITY ATTORNEY

23. Subject: Council Direction On Preparation Of An Elections Code Section 9212 Report From City Agencies On The Effect Of The Proposed Initiative Measure To Eliminate Zoning Information Reports By Repealing SBMC Section 28.87.220 And Related Code Sections (110.03)

Recommendation: That Council consider directing specified City departments to report back to Council on the effect of the proposed initiative measure to eliminate Zoning Information Reports.

Documents:
- July 16, 2019, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.

Speakers:
- Staff: City Attorney Ariel Calonne; Community Development Director George Buell.
- Members of the Public: Bob Hart, initiative proponent; Thomas Schultheis, SBAOR; Alec Bruice, SBAOR; Nancy Hamilton; Laurel Abbott; Steve Epstein, SB Region Chamber of Commerce; Geoff Rue; Lynn; Anna Marie Gott.

Motion:

Councilmembers Sneddon/Murillo to direct staff to return in two weeks with a Section 9212 report.

Substitute Motion:

Councilmembers Dominguez/Rowse to forego the Elections Code section 9212 report and provide direction to staff to return with the proposed action to adopt the initiative measure.

Vote on Substitute Motion:

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

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

24. Subject: Appeal Of Parks And Recreation Commission's Action To Deny Removal Of An Araucaria Heterophylla, Norfolk Island Pine, Located In The Front Yard Setback At 2131 Red Rose Way (570.05)

Recommendation: That Council deny the appeal filed by Karen K. Blanco and uphold the Parks and Recreation Commission's decision to deny the removal of an Araucaria heterophylla, Norfolk Island Pine located at 2131 Red Rose Way.

Public Hearing opened: 5:46 p.m.

Ex Parte Communications:

- No Councilmembers had ex parte communications to disclose.

Documents:

- July 16, 2019, report from the Parks & Recreation Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Appellant.
- July 1, 2019, letter from Karen Blanco.

Speakers:

- Staff: Urban Forest Superintendent Timothy Downey, Parks and Recreation Director Jill Zachary, Fire Marshal Joe Poire.
- Street Tree Advisory Committee: Member Bob Cunningham.
- Parks and Recreation Commission: Chair Nicole Clarke.
- Appellant: Karen Blanco; Grant Blanco.

Public Hearing closed: 6:49 p.m.

Motion:

Councilmember Sneddon/Murillo to deny the appeal to remove the tree with the findings as found by the Parks and Recreation Commission.

Vote:

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. July 4th Parade; 2. Housing Solutions panel; 3. Coastal Commission discussion with CSAC; and 4. Eastside Library Career Fair grand opening.
- Councilmember Friedman attended the following events or meetings: 1. Central Coast Water Authority monthly meeting; 2. CCE subcommittee meeting; 3. July 4th Parade; and 4. Trip to Washington DC.
- Councilmember Rowse attended the following events or meetings: 1. Sustainability subcommittee meeting.
- Councilmember Sneddon attended the following events or meetings: 1. Southern California Gas leadership luncheon; 2. CCE subcommittee meeting; 3. Upper East Association Rose Garden potluck; 4. July 4th Parade; 5. Housing Solutions panel; 6. CCRB meeting; 7. Sustainability Subcommittee meeting; and 8. 30 year Santa Barbara High graduation.
- Mayor Murillo attended the following events or meetings: 1.Pre Fiesta Tea; 2. Office hours at Eastside Library; 3. Eastside Library program helping residents connect with City jobs; 4. ASAP (cat shelter) dinner and fundraiser; 5. Sustainability Subcommittee; 6. Ribbon cutting on MacKenzie Park dog area; 7. Puerto Vallarta Sister Cities group meeting; 8. Sister Cities Board meeting; 9. Downtown Santa Barbara meeting; and 10. July 4th parade.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to closed session at 7:05 pm.

CLOSED SESSIONS

25. 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 Donald Young v. City of Santa Barbara, WCAB Case No. ADJ11130904.

Scheduling: Duration, 20 minutes; anytime
Report: None anticipated

Documents:

- July 16, 2019, report from the City Attorney.

Time: 7:05 p.m. – 7:23 p.m.

Mr. Calonne reported the following motion and vote on this matter:

Motion:
Councilmembers Rowse/Dominguez to settle and release Mr. Young's workers' compensation claims with an additional $50,000 for a total of $176,539.85 paid to date.

Vote:
Unanimous voice vote.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:24 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on September 10, 2019.

SANTA BARBARA CITY COUNCIL

CATHY MURILLO
MAYOR

ATTEST:

SANTA BARBARA
CITY CLERK'S OFFICE

SARAH GORMAN
CITY CLERK SERVICES MANAGER