



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING JANUARY 28, 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 met at 12:30 p.m. The Ordinance Committee, which ordinarily meets 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.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Caroline Abate; Mark Marshall Wofford, Y.M.C.A., Surd Rider Foundation, and Dudek; Monica C. Ramirez, C.A.R.R.M.A.; Pastor Geraldo Jerry Menchaca, New Beginning Community Church; Michael Corrigan, Arriba Way Citizens United; Phil Walker; Allen Gallegos; Genice Gallegos; Naftaly Glasman; Mateo Gallegos; Robert Hansen; Nancy McCradie; Jessica Solomon; Tim Kirkelie; Anna Marie Gott; Jeffrey Doornbos; Elizabeth Reed; Diane Rene Francis; Hutch Axilrod; Daniel Meisel; Tim Owens; Rick; Father John Hardin.

CONSENT CALENDAR (Item Nos. 1 - 13)

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

Motion:

Councilmembers Jordan/A. Gutierrez to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

- 1. Subject: Introduction Of Ordinance Approving The 2019-2021 Police Officers' Association Bargaining Unit Memorandum Of Understanding And Adoption Of Resolution Amending Resolution No. 19-041, The Position And Salary Control Resolution For Fiscal Year 2020 (440.02)**

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara Police Officers' Association by introduction and subsequent adoption of, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers' Association for the period of July 1, 2019 through June 30, 2021; and
- B. 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 Salaries of Certain Classifications in the Police Officers' Association Effective February 4, 2020.

Action: Approved the recommendations; Resolution No. 20-006 (January 28, 2020, report from the City Administrator; proposed Ordinance; proposed Resolution).

- 2. Subject: Introduction Of Ordinance For Lease Agreement With Federal Express, Inc. (330.04)**

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 Airport Director to Execute a Lease Agreement with Federal Express Inc., a Delaware Corporation, for 59,410 Square Feet of Hangar and Office Space and 10,500 Square Feet of Paved Parking Lot Space at 495 South Fairview Avenue at the Santa Barbara Airport for a Term of Ten Years with a Five-Year Option to Extend.

Action: Approved the recommendation (January 28, 2020, report from the Airport Director; proposed Ordinance).

3. Subject: Adoption Of Ordinance Approving The 2019-2020 Supervisory Employees' Bargaining Unit Memorandum Of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2019-2020 Supervisor's Memorandum of Understanding and Providing for Compensation Changes for Confidential Supervisory Employees.

Action: Approved the recommendation; Ordinance No. 5931; Agreement No. 26,623.

4. Subject: Resolution For Designation Of Authorized Agents To Execute Disaster Assistance Applications On Behalf Of The City Of Santa Barbara For The Purpose Of Obtaining Federal And State Financial Assistance (210.01)

Recommendation: That Council adopt, by reading of the title only, a Resolution of the Council of the City of Santa Barbara Designating the Finance Director, Finance and Treasury Manager, and Accounting Manager, as the City of Santa Barbara's Agent for California Governor's Office of Emergency Management Disaster Assistance for Three (3) Years, Expiring January 31, 2023.

Action: Approved the recommendation; Resolution No. 20-007 (January 28, 2020, report from the Finance Director; proposed Resolution).

5. Subject: Fiscal Year 2020 Interim Financial Statements For The Five Months Ended November 30, 2019 (250.02)

Recommendation: That Council accept the Fiscal Year 2020 Interim Financial Statements for the five months ended November 30, 2019.

Action: Approved the recommendation (January 28, 2020, report from the Finance Director).

6. Subject: December 31, 2019, Investment Report And December 31, 2019, Fiscal Agent Report (210.01)

Recommendation: That Council:

- A. Accept the December 31, 2019, Investment Report; and
- B. Accept the December 31, 2019, Fiscal Agent Report.

Action: Approved the recommendations (January 28, 2020, report from the Finance Director).

7. Subject: Authorization For Legal Services With Slaughter, Reagan & Cole, LLP For Special Counsel Services (160.01)

Recommendation: That Council:

- A. Authorize the City Attorney to execute a legal services agreement with Slaughter, Reagan & Cole, LLP, for special counsel services regarding Flightline Restaurant, LLC, et al. v. City of Santa Barbara, SBSC Case Number 19CV06555, in an amount not to exceed \$250,000; and
- B. Approve an increase in appropriations in the Airport Operating Fund in the amount of \$250,000, to be funded from Airport Operating Fund reserves, to secure the legal services agreement with Slaughter, Reagan & Cole, LLP.

Action: Approved the recommendations; Agreement No. 26,624 (January 28, 2020, report from the City Attorney).

8. Subject: Accept A Monetary Donation From The Santa Barbara Police Foundation For The K9 Unit Trust Fund (520.04)

Recommendation: That Council:

- A. Accept a donation in the amount of \$20,000 from the Santa Barbara Police Foundation for the Canine Unit Trust Fund; and
- B. Increase appropriations and estimated revenue in the Fiscal Year 2020 Canine Unit Trust Fund by \$20,000.

Action: Approved the recommendations (January 28, 2020, report from the Police Chief).

9. Subject: Grant From The Gwendolyn Strong Foundation (570.05)

Recommendation: That Council increase appropriations in the Fiscal Year 2020 Capital Outlay Fund in the amount of \$250,000 to be paid from General Fund Reserves and subsequently repaid to General Fund Reserves by a grant from The Gwendolyn Strong Foundation (The GSF).

Action: Approved the recommendation (January 28, 2020, report from the Parks and Recreation Director).

10. Subject: Contract For Planning And Design Services For Rehabilitation Of Laguna Channel Pump Station Project (530.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services Contract with Stantec Consulting Services, Inc., in the amount of \$954,244 for planning and design services for the rehabilitation of the Laguna Channel Pump Station Project, and authorize the Public Works Director to approve expenditures of up to \$95,424 for extra services of Stantec

Consulting Services, Inc., that may result from necessary changes in the scope of work;

- B. Accept Federal Emergency Management Agency Hazard Mitigation Program grant funding, and authorize an increase in appropriations and estimated revenues in the Fiscal Year 2020 January 2017 Winter Storm Fund budget in the amount of \$758,887 for the participating share of the planning and design costs of the Laguna Channel Pump Station Project; and
- C. Approve the allocation of available appropriations in the Fiscal Year 2020 Drainage Improvements Program in the Measure C Capital Fund in the amount of \$348,387 for the Laguna Channel Pump Station Project planning and design costs not covered by the grant.

Speakers:

- Member of the public: Phil Walker.

Action: Approved the recommendations; Agreement No. 26,625 (January 28, 2020, report from the Public Works Director).

11. Subject: Contract For Design Of Wastewater Pipe Freeway Crossings Rehabilitation Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Carollo Engineers in the amount of \$314,609 for design services of the Wastewater Pipe Freeway Crossings Rehabilitation Project, and authorize the Public Works Director to approve additional expenditures of up to \$31,461 for extra services of Carollo Engineers that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,626 (January 28, 2020, report from the Public Works Director).

12. Subject: Professional Services Agreement With Water Systems Consulting, Inc., For Construction Support Services For The Fiscal Year 2020 Wastewater Main Rehabilitation Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a professional services agreement with Water Systems Consulting, Inc., in the amount of \$93,750 for construction support services for the Fiscal Year 2020 Wastewater Main Rehabilitation Project, and authorize the Public Works Director to approve additional expenditures of up to \$9,375 to cover any additional costs that may result from necessary changes to the scope of work.

Action: Approved the recommendation; Agreement No. 26,627 (January 28, 2020, report from the Public Works Director).

NOTICES

13. Subject: The City Clerk has on Thursday, January 23, 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.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Friedman reported that the Finance Committee considered Transition House's request for a loan for the property acquisition and a grant for the rehabilitation of the Transition House property. The Finance Committee voted unanimously to forward this item to Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

14. **Subject: Downtown Organization Annual Assessment Report For 2020 And Intention To Levy (170.01)**

Recommendation: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2020; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessments for 2020, at a Public Hearing to be Held on March 3, 2020, at 2:00 p.m.

The title of the Resolution was read.

Documents:

- January 28, 2020, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson.
- Downtown Santa Barbara: Executive Director Carrie Kelly.
- Members of the Public: Bob Stout.

Motion:

Councilmembers Harmon/Sneddon to approve the staff recommendations.

Vote:

Unanimous roll call vote; Resolution No. 20-008.

PUBLIC WORKS DEPARTMENT

15. Subject: Annual Water Supply Management Report (540.08)

Recommendation: That Council:

- A. Receive an update on the Stage One Water Supply Condition and Three-Year Water Supply Outlook; and
- B. Approve and adopt the City of Santa Barbara Water Supply Management Report for the 2019 Water Year, finding that the groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Plan.

Documents:

- January 28, 2020, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Administrative Analyst Dakota Corey.

Discussion:

- Topics covered included water supply status, demand status, water supply strategy, and the 2019 Annual Water Supply Management Report. Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/Friedman to approve the staff recommendations.

Vote:

Unanimous roll call vote.

RECESS

3:59 p.m. – 4:09 p.m.

FIRE DEPARTMENT

16. Subject: Update On The Regional Fire/Emergency Medical Services (EMS) Dispatch Center And Request To Initiate Negotiations With Santa Barbara County Fire Department For Dispatch Services To Begin In 2023 (520.03)

Recommendation: That Council Support the Regional Fire/Emergency Medical Services (EMS) Dispatch Center and direct staff to initiate negotiations with the Santa Barbara County Fire Department for fire, rescue, and emergency medical dispatch services including contract terms, cost apportionment, and governance.

Documents:

- January 28, 2020, report from the Fire Chief.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Fire Chief Eric Nickel, City Administrator Paul Casey, Police Chief Lori Luhnow.
- County of Santa Barbara: Fire Chief Mark A. Hartwig.

Motion:

Councilmembers Friedman/Harmon to approve the staff recommendation.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARINGS

17. Subject: Introduction Of An Ordinance And Adoption Of Resolutions For Annexation Of 691 North Hope Avenue (680.01)

Recommendation: That Council:

- Adopt, by a reading of title only, a Resolution of the Council of the City of Santa Barbara Applying for a Reorganization Comprising of Annexation to the City of Santa Barbara, and Detachment from the Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, and County Service Area 32 (Unincorporated Area - Law Enforcement) for Certain Real Property Presently Located at 691 N. Hope Avenue (Assessor's Parcel Number 057-113-007);
- Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Number 057-113-007 located at 691 N. Hope Avenue, Which Will Be Annexed to the City of Santa Barbara;
- Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Sectional Zoning Map of the City of Santa Barbara, as Referenced in Santa Barbara Municipal Code Section 30.05.020, Pertaining to Zoning Upon Annexation of Assessor's Parcel No. 057-113-007; and
- Make the finding that the project qualifies for an exemption from further environmental review under California Environmental Quality Act (CEQA)

Guidelines Section 15183, based on the City staff analysis and the CEQA Certificate of Determination on file for this project.

Public Hearing opened: 4:58 p.m.

The title of the Resolutions and Ordinance were read.

Documents:

- January 28, 2020, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolutions.
- Proposed Ordinance.
- January 27, 2020 letter from Bryan and Nicki Costa.
- January 27, 2020 letter from Mike and Polly Martony.

Speakers:

- Staff: Project Planner Kathleen Kennedy, City Administrator Paul Casey, Principal Engineer Adam Hendel.
- Member of the public: Tony Tomasello.

Public Hearing closed: 5:27 p.m.

Motion:

Councilmembers Friedman/Harmon to approve the staff recommendations.

Vote:

Unanimous roll call vote; Resolution No. 20-009; Resolution No. 20-010.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Friedman attended the following events or meetings: 1. Sea Level Rise Subcommittee meeting; 2. League of Cities environmental quality policy committee meeting; 3. Proposed Modoc bike path community meeting; 4. Central Coast Water Authority meeting; 5. Martin Luther King Jr. Day events; 6. Randy Rouse's retirement reception; 7. Coastal Cities Group conference call; 8. Santa Barbara International Film Festival.
- Councilmember O. Gutierrez attended the following events or meetings: 1. Martin Luther King Jr. Day events; 2. Santa Barbara International Film Festival; 3. Visit Santa Barbara yearend review meeting; 4. Santa Barbara Youth Council meeting.
- Councilmember Harmon attended the following events or meetings: 1. De La Guerra Plaza Subcommittee meeting; 2. California League of Cities New Councilmembers training; 3. California League of Cities Housing Community and Economic Development Policy meeting.
- Councilmember Sneddon attended the following events or meetings: 1. Historic Landmarks Committee meeting; 2. Parks and Recreation Committee meeting; 3.

Downtown Organization meeting regarding TBID; 4. Citizens Planning Association panel event; 5. COMB meeting; 6. Sea Level Rise Subcommittee meeting; 7. SB ACT meeting.

- Mayor Murillo attended the following events or meetings: 1. SBCAG meeting; 2. MTD launched Micro Transit Pilot Project in Goleta; 3. Air Pollution Control District Board meeting; 4. SB ACT meeting; 5. Santa Barbara County Affordable Housing Taskforce meeting; 6. Welcomed new Mexican Consulate; 7. Santa Barbara International Film Festival.

PUBLIC COMMENT (IF NECESSARY)

RECESS

City Administrator Paul Casey stated that Item No. 21 was not going to be discussed during the following Closed Sessions. The item will be brought back to Council at a later meeting.

Mayor Murillo recessed to closed session at 5:42 p.m. and stated that no reportable action is anticipated.

CLOSED SESSIONS

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 Santa Barbara Inland & Coastal Property Rights Association v. City of Santa Barbara, SBSC Case No. 18CV03136.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

- January 28, 2020, report from the City Attorney.

Time: 5:45 p.m. – 6:30 p.m.

No report made.

19. 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 Flightline Restaurant, LLC, et al. v. City of Santa Barbara, SBSC Case No. 19CV06555.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

- January 28, 2020, report from the City Attorney.

Time: 6:30 p.m. – 7:10 p.m.

No report made.

20. Subject: Conference With City Attorney – Anticipated Litigation – Gov. Code § 54956.9(d)(2) & (e)(3) (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code Section 54956.9(d)(2) & (e)(3) and take appropriate action as needed.

The anticipated litigation is based upon significant exposure to litigation arising out of the claim of Audrey Diaz Sanchez dated October 22, 2019.

Scheduling: Duration: 15 minutes; anytime

Report: None anticipated

Documents:

- January 28, 2020, report from the City Attorney.

Time: 7:10 p.m. – 7:30 p.m.

No report made.

21. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Pamela Antil, Assistant City Administrator, and Sam Ramirez, HR Analyst II, regarding negotiations with Santa Barbara City Firefighters Association, Service

Employees' International Union, Local 620, Treatment and Patrol Bargaining Units,
and the Police Management Association.

Scheduling: Duration, 40 Minutes; anytime
Report: None anticipated

Documents:

- January 28, 2020, report from the City Administrator.

This item was not heard.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:30 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on February 25,
2020.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER