



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
OCTOBER 9, 2018
COUNCIL CHAMBERS, 735 ANACAPA

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, Gregg Hart, 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.

CEREMONIAL ITEMS

1. **Subject: National Arts And Humanities Month October 2018 (120.04)**

Action: Proclamation presented to the County of Santa Barbara Arts and Culture.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Caroline; John Thomas; Kenneth Loch; Eve Catalan, Future Leaders of America; Lynn Goebel; Mark Marshall Wofford, YMCA Surf Rider Foundation; Anna Marie Gott; Michael Baker, United Boys & Girls Club.

CONSENT CALENDAR (Items 2-9)

The titles of the ordinances and resolutions related to Consent Items were read.

Motion:

Councilmembers Friedman/Hart to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meetings of September 27, 2016, and July 10, September 11, and September 18, 2018.

Action: Approved the recommendation.

3. Subject: Introduction Of An Ordinance For A Lease Agreement With Santa Barbara Fuel Dock Incorporated (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 Santa Barbara Fuel Dock, Incorporated, a California Corporation, to Operate the Fuel Dock Facility in Santa Barbara Harbor, for a Term of Five Years with Three, Five-Year Options Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; (October 9, 2018, report from the Waterfront Director; proposed ordinance).

4. Subject: Approval Of A Resolution Authorizing Submittal Of Applications For CalRecycle Grants (530.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Submittal of Application(s) for All CalRecycle Grants for which the City of Santa Barbara is Eligible.

Action: Approved the recommendation; Resolution No. 18-079 (October 9, 2018, report from the Public Works Director; proposed resolution).

5. Subject: Records Destruction For Finance Department

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 Finance Department in the Accounting, Administration, General Services, Environmental Services, Risk Management, and Treasury Divisions.

Action: Approved the recommendation; Resolution No. 18-080 (October 9, 2018, report from the Finance Director; proposed resolution).

6. Subject: Proposed License Agreement With Santa Barbara Fuel Dock, Incorporated, To Operate The Commercial Ice Machine (570.03)

Recommendation: That Council authorize the Waterfront Director to execute a License Agreement between the City of Santa Barbara and Santa Barbara Fuel Dock, Incorporated, a California Corporation, to operate the commercial ice machine facility in Santa Barbara Harbor.

Action: Approved the recommendation; Agreement No. 26,284 (October 9, 2018, report from the Waterfront Director).

7. Subject: Memorandum Of Understanding With Montecito Water District For Coordination Related To The Formation Of A Groundwater Sustainability Agency For The Montecito Groundwater Basin (530.01)

Recommendation: That Council approve and authorize the Public Works Director to execute, subject to City Attorney approval as to form, a Memorandum of Understanding between the Montecito Water District and the City of Santa Barbara related to Sustainable Groundwater Management Act Implementation in the Montecito Groundwater Basin.

Action: Approved the recommendation; Agreement No. 26,285 (October 9, 2018, report from the Waterfront Director).

NOTICES

8. Subject: The City Clerk has on Thursday, October 4, 2018, posted the 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.
9. Subject: Received a letter of resignation from Rental Housing Mediation Board Member Lynn Goebel; the vacancy will be part of the current City Advisory Groups recruitment.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Ordinance Committee unanimously recommended bringing the Westmont College specific plan for affordable housing for Council review.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

10. Subject: Introduction Of Ordinance Restricting The Use Of Plastic Beverage Straws And Plastic Stirrers, And The Distribution Of Plastic Cutlery Within The City Of Santa Barbara (630.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 9 of the Santa Barbara Municipal Code [Public Peace and Safety] to Add Chapter 9.165 to Regulate Plastic Beverage Straws, Stirrers, and Cutlery.

The title of the Ordinance was read.

Documents:

- October 9, 2018, report from the Finance Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.
- October 9, 2018, memorandum from the City Attorney.

Speakers:

- Staff: Environmental Services Manager Rene Eyerly.
- Members of the public: Dani Anderson, ILRC; Hillary Hauser, Heal the Ocean; Penny Owens, Santa Barbara Channelkeeper; Kathi King, Community Environmental Council.

Motion:

Councilmembers Sneddon/Hart to approve the staff recommendation with the modification as provided by the City Attorney, adding the following language to Section 9.165, Exemptions B1: "...from the requirements set forth in Section 9.165.030A for up to one year if the food provider or beverage provider applies for an exemption from the City Financial Director showing, in writing, that this chapter would create an undue hardship or practical difficulty as evidenced by no alternatives being available or such alternatives are not affordable to the food provider or beverage provider."

Substitute motion:

Councilmember Rowse to set aside this ordinance and follow state law AB 1884. The motion failed for lack of a second.

Vote on original motion:

Majority roll call vote (No: Councilmember Rowse.)

LIBRARY DEPARTMENT

11. Subject: Agreement For Construction Staging With The Santa Barbara Museum Of Art (570.04)

Recommendation: That Council:

- A. Approve and authorize the Library Director to execute a one-year amendment to the agreement for construction staging with the Santa Barbara Museum of Art at 40 East Anapamu Street and Library Avenue; or
- B. Recommend any alternative terms for the amendment to the agreement for construction staging with the Santa Barbara Museum at 40 East Anapamu Street and Library Avenue.

Documents:

- October 9, 2018, report from the Library Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Library Director Jessica Cadiente; Facility and Energy Manager Michael Wiltshire.
- Members of the public: Douglas Campbell; Joan Young, Library Advisory Board; Sharon Hoshida, Santa Barbara Library Foundation; Milt Hess, City Library Board; Larry Feinberg, Santa Barbara Museum of Art.

Motion:

Councilmembers Friedman/Hart to approve the staff recommendation; Agreement No. 25,705.1.

Vote:

Unanimous roll call vote.

POLICE DEPARTMENT

12. Subject: Consider Separate Requests From Councilmembers Friedman And Sneddon And From Councilmembers Dominguez And Gutierrez Regarding Alcohol Licensing Policies

Recommendation: That Council:

- A. Consider the request from Councilmembers Friedman And Sneddon requesting staff provide information on alcohol licensing policies;
- B. Consider the request from Councilmembers Dominguez and Gutierrez requesting staff provide information on alcohol licensing policies; and
- C. Determine whether to consider regulation of on-sale outlets.

Documents:

- October 9, 2018, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Councilmember Rowse stated that he was recusing himself from this item due to his status as a licensee. He was excused from the meeting at 3:43 p.m.

Speakers:

- Staff: Police Chief Lori Luhnaw; Public Engagement Manager Anthony Wagner; Assistant Parks and Recreation Director Rich Hanna.
- Members of the public: Eva Catalan; Diego Lopez; Tina Takaya, Opal, OKU Restaurant; Ted Ellis, OKU Restaurant; Matt Olufs; Adriana Almazan, Richard Berti; Ray Mahboob; Anna Marie Gott; Jan Von Yurt.

Motion:

Councilmembers Friedman/Sneddon to provide staff direction to research on sale permit systems and return with this research when bringing the off sale ordinance to Ordinance Committee and City Council.

Friendly amendment:

Councilmember Dominguez to additionally establish a City policy with a strong preference for a 1:00 a.m. stopping time for restaurants.

Councilmember Friedman declined to accept this friendly amendment.

Friendly amendment:

Councilmember Dominguez to provide staff direction to also return with an ordinance establishing a strong preference for a 1:00 a.m. close time for certain restaurants when staff returns to Ordinance Committee and Council with the research regarding on-sale permit systems and returning with the off sale ordinance.

Councilmember Friedman declined to accept this friendly amendment.

Friendly amendment:

Councilmember Dominguez to provide staff direction to bring information about off-sale permit systems when staff brings the off sale ordinance to the Ordinance Committee and Council.

Councilmember Friedman, as the maker of the motion, accepted this friendly amendment. Councilmember Sneddon, as the seconder of the motion, did not accept the friendly amendment.

Councilmember Friedman, as the maker of the original motion, accepted Councilmember Dominguez's friendly amendment to provide staff direction to also return with an ordinance establishing a strong preference for a 1:00 a.m. close time for certain restaurants when staff returns to Ordinance Committee and Council with

the research regarding on-sale permit systems and returning with the off sale ordinance. Councilmember Sneddon accepted this friendly amendment.

The motion was summarized as:

Motion by Friedman/Sneddon to direct staff to research on-sale permit systems and return with that research when staff returns with the off-sale ordinance to the Ordinance Committee and then to Council; the motion includes a friendly amendment to also return to the Ordinance Committee with a proposed ordinance for 1:00 a.m. close time for certain restaurants.

Vote:

Failed to carry by roll call vote (Noes: Friedman, Hart, Gutierrez, Murillo; Ayes: Dominguez, Sneddon; Abstain: Rowse.)

Motion:

Councilmembers Friedman/Murillo to provide staff direction to bring information about on-sale systems when staff brings the off-sale ordinance to the Ordinance Committee and Council.

Vote:

Failed to carry by roll call vote (Noes: Dominguez, Hart, Gutierrez; Ayes: Friedman, Sneddon, Murillo; Abstain: Rowse.)

RECESS

5:40 p.m. – 5:47 p.m.

Motion:

Councilmembers Sneddon/Gutierrez to provide staff direction to bring information about the CUP process for on-sale back to the Ordinance Committee and then Council if appropriate, focused on new applications but also including changed conditions.

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, Hart; Abstain: Rowse.)

Councilmember Rowse returned to the meeting at 6:00 p.m.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Fired up for Special Olympics; 2. Ad Hoc Desalination meeting; 3. AIA tour; 4. Senior Expo at Earl Warren Center.

- Councilmember Friedman attended the following events or meetings: 1. AIA tour, 2. Bread and Roses event; 3. Fired Up for Special Olympics; 4. Special Recognition for Pat McElroy.
- Councilmember Gutierrez attended the following events or meetings: 1. Fired Up Special Olympics; 2. Ribbon Cutting for Harding school auditorium; 3. Bread and Roses event; 4. Royal Gala at San Marcos High.
- Councilmember Hart attended the following events or meetings: 1. Science Committee of the Audubon Society; 2. Fired Up for Special Olympics; 3. Johnson Court Housing Authority groundbreaking for 813 E Carrillo; 4. Downtown Organization Board meeting.
- Councilmember Rowse attended the following events or meetings: 1. AIA tour.
- Councilmember Sneddon attended the following events or meetings: 1. CCRB meeting; 2. Firefighter Mastow Valor award; 3. Bread and Roses event; 4. Desalination Committee.
- Mayor Murillo attended the following events or meetings: 1. Items mentioned by other Councilmembers at today's meeting; 2. Youth Interactive event; 3. Housing Authority Self-Sufficiency ceremony; 4. Jewish Federation Women's Division Food for Thought event.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

13. 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 Kristine Schmidt, Administrative Services Director, regarding negotiations with the Santa Barbara City Employees' Association (General Bargaining Unit), Local 620 Service Employees' International Union, and salary and fringe benefits for unrepresented employees.

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

Documents:

- October 11, 2018, report from the City Administrator.

Time: 6:00 p.m. – 6:30 p.m.

No report made.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:30 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 13, 2018.

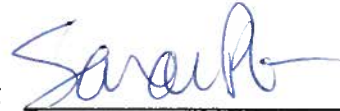
SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER

