



## **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

**REGULAR MEETING  
NOVEMBER 13, 2018  
COUNCIL CHAMBERS, 735 ANACAPA**

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### **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: 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: Runaway And Homeless Youth Prevention Month - November 2018 (120.04)**

Action: Proclamation presented to YMCA Youth and Family Services.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

Members of the Public: Caroline; Art Ludwig; Rick Closson; Thomas Welche; Denice Adams, Montecito Vista; Phil Walker; Raquel Vela; Carlos Williams; Anna Marie Gott; Uriah Wesman; Andrea Pullman.

### **CONSENT CALENDAR (Item Nos. 2 - 8)**

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

Motion:

Councilmembers Rowse/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 25, October 2, October 9, October 16, and October 23, 2018, and the minutes of the special meetings of September 25, October 1, and October 9, 2018.

Action: Approved the recommendation.

**3. Subject: Adoption Of Ordinance For Agreement To Use Recycled Water With American Tradition, LLC, For Irrigation At 103 South Calle Cesar Chavez (540.13)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving the Agreement To Use Recycled Water Between the City of Santa Barbara and American Tradition, LLC, for Purchase, Use, and Delivery of the City's Recycled Water for the Property Located at 103 South Calle Cesar Chavez.

Action: Approved the recommendation; Ordinance No. 5860; Agreement No. 26,318.

**4. Subject: Resolution Of Acceptance Of Trail Easement Deed At 1213 Harbor Hills Drive (330.03)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting an Easement for a Public Trail on the Property Known as 1213 Harbor Hills Drive.

Action: Approved the recommendation; Resolution No. 18-087; Deed No. 61-531 (November 13, 2018, report from the Public Works Director; proposed Resolution).

**5. Subject: Appropriation Of Asset Forfeiture Funds For The Purchase Of Narcotic Testing Equipment (520.04)**

Recommendation: That Council increase appropriations by \$28,000 for Fiscal Year 2019 in the Police Department Asset Forfeiture Fund from available asset forfeiture reserves for the purchase of narcotics testing equipment.

Action: Approved the recommendation (November 13, 2018, report from the Police Chief).

**6. Subject: Construction Of Crosswalk And Lighting Safety Upgrades At Carpinteria And Voluntario Streets (530.04)**

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$423,990 for construction of the Safe Routes to School at Carpinteria Street and Voluntario Street Project, Bid No. 3810, and authorize the Public Works Director to execute the contract and approve expenditures up to \$42,399 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- B. Accept Active Transportation Program Grant funding, and authorize the increase in appropriations and estimated revenues in the Streets Grant Capital Fund by \$522,000 for the participating share of the construction of the Safe Routes to School at Carpinteria Street and Voluntario Street Project; and
- C. Approve the transfer of remaining appropriations in the Pavement Maintenance Program in the amount of \$5,000 from the Measure A Capital Fund to the Streets Grant Capital Fund, and authorize an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of \$5,000, funded by the above transfer, for the Safe Routes to School at Carpinteria Street and Voluntario Street Project construction costs not covered by the grant.

Document:

- Email to Mayor and Council from Cars Are Basic.

Action: Approved the recommendations; Agreement No. 26,319 (November 13, 2018, report from the Public Works Director).

**7. Subject: Set A Date For A Public Hearing Regarding Single Family Design Board's Approval For 2444 Santa Barbara Street**

Recommendation: That Council:

- A. Set the date of January 15, 2018, at 2:00 p.m. for hearing the appeal filed by Raymond M. Karam and Scott Burns of the Single Family Design Board's decision to approve unpermitted exterior alterations to the existing single residential unit owned by West Bluff Capital, Inc., located at 2444 Santa

Barbara Street, Assessor Parcel No. 025-042-003, RS-15 (Residential Single Unit) Zone; General Plan Designation: Low Density Residential (Max 3 du/ac). The project involves permitting a glass garage door, a new tankless water heater, a new 27 square foot permeable entry deck, pool equipment, and stucco exterior (MST2018-00410); and

- B. Set the date of January 14, 2018, at 1:30 p.m. for a site visit to the property located at 2444 Santa Barbara Street.

Action: Approved the recommendations.

## **CONSENT PUBLIC HEARING**

### **8. Subject: Westmont College Specific Plan Amendment For Affordable Housing In The City Of Santa Barbara (660.04)**

Recommendation: That Council:

- A. Consider a proposed Specific Plan Amendment of the City of Santa Barbara Municipal Code amending Section 30.110.040 related to affordability requirements in SP5-WC Zone; and
- B. Introduce, and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 30.110.040 of Chapter 30.110 (Westmont College Specific Plan) of the Santa Barbara Municipal Code, Approving the Westmont Amended and Restated Affordable Housing Agreement, and Authorizing the Community Development Director to Execute the Agreement.

City Attorney Ariel Calonne stated that he was recusing himself from this item due to his ownership of property located at 518 West Olivos Street.

The public hearing was opened and closed at 2:35 p.m.; no one wished to speak.

Action: Approved the recommendations (November 13, 2018, report from the Community Development Director; proposed Ordinance).

## **NOTICES**

- 9. Subject: The City Clerk has on Thursday, November 8, 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.

This concluded the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **CITY ATTORNEY**

**10. Subject: Updated City Council Rules Of Procedure (120.02)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting Rules of Procedure Governing the Conduct of City Council Meetings and Rescinding Resolution No. 15-091.

The title of the Resolution was read.

**Documents:**

- November 13, 2018, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.
- "Length of Average Regular City Council Meeting" chart from Thomas Welche.
- Letter to Mayor and Council from Allied Neighborhood Association.

**Speakers:**

- Staff: City Attorney Ariel Calonne, City Administrator Paul Casey; City Clerk Services Manager Sarah Gorman.
- Members of the Public: Thomas Welche; Bonnie Raisin; Anna Marie Gott; Steven Amerikaner.

**Motion:**

Councilmembers Dominguez/Gutierrez to adopt the staff recommendation and proposed rules regarding ex parte communications from staff attorneys and private attorneys, for quasi-judicial communications; and to not adopt the staff recommendation regarding pooling of time.

**Amendment to motion:**

Councilmembers Dominguez/Gutierrez to clarify that if the communication occurs the day of a Council meeting, the notification to the Clerk should happen before the meeting.

**Substitute motion:**

Councilmembers Friedman/Hart to (1) increase time per person for non-agendized item public comment to 3 minutes per person, with no pooling of time permitted; and (2) to increase time per person for public comment on agendized items from 2 minutes per person to 3 minutes per person, with maximum time per person of 5 minutes, with one persons' 2 minutes added to the original speaker; as well as the same language regarding ex parte communications as proposed by Councilmember Dominguez.

Councilmember Hart withdrew his second to the substitute motion.

**Substitute motion:**

Councilmembers Rowse/Sneddon to split the item into two motions, and to adopt the staff recommendation and proposed rules regarding ex parte communications from staff attorneys and private attorneys, for quasi-judicial communications, and to permit notification before the Council meeting if the communication occurs after the notification deadline.

Vote:  
Unanimous roll call vote.

Motion:  
Councilmembers Dominguez/Gutierrez to continue with the Council's approved 2015 procedures regarding time limits and pooling of time.

Substitute motion:  
Councilmembers Friedman/Rowse to (1) increase time per person for non-agendized item public comment to 3 minutes per person, with no pooling of time permitted; and (2) to increase time per person for public comment on agendized items from 2 minutes per person to 3 minutes per person, with maximum time per person of 5 minutes, with one persons' 2 minutes added to the original speaker; Resolution No. 18-088.

Vote:  
Majority roll call vote (Noes: Councilmembers Dominguez, Sneddon, Gutierrez).

## COMMUNITY DEVELOPMENT DEPARTMENT

### **11. Subject: Authorization To Submit An Application To The Santa Barbara County Continuum Of Care For Homeless Emergency Aid Program (HEAP) Grant Funding (660.04)**

Recommendation: That Council authorize staff to submit an application to the Santa Barbara County Continuum of Care for HEAP grant funding.

#### Documents:

- November 13, 2018, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Letter to City of Santa Barbara, public, and members of the involved agencies from Kori Rider.
- Email to Councilmember Hart from Diane Pannkuk.

#### Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels; Parking and Transportation Manager Robert Dayton.
- Other agencies: Sal Robledo, Cottage Health; Brad Fieldhouse, CityNet; Tessa Madden-Storms, PATH.

- Members of the Public: Sarah Sinclair; Matt LaBrie, Downtown Organization; Claudia Barreda-Kahn; Mike Rider; Mark Sheridan; Jay Higgins; Denice S. Adams, Montecito Vista; Alan Bleeker; Jose Arturo Gallegos; Rob Sporrer; Kori Rider; Scott Burress; Andrea Pullman; Anna Marie Gott.

**Motion:**

Councilmembers Sneddon/Murillo to approve the staff recommendation with added patrols, neighborhood input, and regular meetings and updates with neighbors throughout the process.

**Substitute motion:**

Councilmember Dominguez to approve the staff recommendation without the tiny homes. The motion failed for lack of a second.

**Vote on original motion:**

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

**RECESS**

5:21 p.m. – 6:31 p.m.

**FINANCE DEPARTMENT**

**12. Subject: Measure C Annual Accountability Report (210.01)**

This item was continued to the November 20, 2018 meeting.

**QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM**

**PUBLIC HEARINGS**

**13. Subject: Appeal Of The Historic Landmarks Commission's Decision To Designate The Building At 428 Chapala Street As A Structure Of Merit (640.07)**

Recommendation: That Council:

- A. Consider Casa de Sevilla Partners, LP's appeal of the Historic Landmarks Commission's decision to designate the entire building at 428 Chapala Street as a Structure of Merit; and
- B. Direct staff to return to City Council with decision and findings reflecting the outcome of the appeal.

Public Hearing opened: 7:05 p.m.

Ex Parte Communications:

- Councilmember Friedman discussed that the entire Council received the letter to Mayor and Council from Steven A. Amerikaner.

Documents:

- November 13, 2018, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Appellant.
- Letter to Mayor and Council from Steven A. Amerikaner.

Speakers:

- Staff: Associate Planner Nicole Hernandez.
- Historic Landmarks Commission: Member Anthony Grumbine.
- Appellant: Steven Amerikaner, counsel for Appellant.

Public Hearing closed: 7:43 p.m.

Motion:

Sneddon/Dominguez to deny the appeal on the basis of Historic Landmarks Commission findings.

Substitute motion:

Rowse/Gutierrez to uphold the appeal.

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, Sneddon)

## **MAYOR AND COUNCIL REPORTS**

### **14. 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 November 20, 2018.
- (Estimated Time: 4:00 p.m.) (Continued from October 30, 2018.)

The following people were interviewed:

Access Advisory Committee  
Airport Commission  
Architectural Board of Review  
Bradford Karns  
Building and Fire Code Board of Appeals  
Central Coast Commission for Senior Citizens  
Civil Service Commission  
Community Development and Human Services Committee

Community Events and Festivals Committee  
Creeks Advisory Committee  
Fire and Police Commission  
Harbor Commission  
    Betsy Cramer  
    Michael Nelson  
Historic Landmarks Commission  
    Steve Nuhn  
Library Board  
    Lynn Goebel  
    William Goldsmith  
Living Wage Advisory Committee  
Measure P Committee  
Mosquito and Vector Management District Board  
Neighborhood Advisory Council  
Parks and Recreation Commission  
Planning Commission  
Rental Housing Mediation Board  
    Michelle Roberson  
Santa Barbara Youth Council  
Sign Committee  
    Ken Sorgman  
Sister Cities Board  
    Pat Finley Fallin  
Transportation and Circulation Committee

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Dominguez attended the following events or meetings: 1. Sea Level Rise Subcommittee meeting; 2. Economic forecast meeting; 3. Art Pop Up at Casa De La Raza 4. Handed out bike lights with BC Central and Santa Barbara Bike Coalition.
- Councilmember Friedman attended the following events or meetings: 1. Condolences and support for cities suffering from fire damage; 2. Sea Level Rise Subcommittee meeting; 3. Veterans Day ceremony at cemetery; 4. Women's Club event with Betsy Green, historian as keynote speaker; 5. Library Advisory Board; 6. Community workshop hosted by Public Works for Vision Zero project at State & Las Positas up to Adams School; 7. Community Mass at Santa Barbara Mission.
- Councilmember Gutierrez attended the following events or meetings: 1. Rental Housing Mediation Board meeting; 2. Veterans Memorial event; 3. Youth Council meeting; 4. Provided respects to deceased resident Joseph Petrich.

- Councilmember Hart attended the following events or meetings: 1. Police Station community meeting; 2. Panel discussion at Antioch; 3. Santa Barbara Trust for Historic Preservation event; 4. Downtown Organization meeting.
- Councilmember Sneddon attended the following events or meetings: 1. Police Station community meeting; 2. Oak Tree Preservation Project Field Trip with COMB; 3. Antioch panel regarding political leadership; 4. Radius real estate and economic forecast projections; 5. Sea Level Rise Subcommittee meeting; 6. Commented on seeing fire damage.
- Mayor Murillo attended the following events or meetings: 1. Video program at Presidio was put on by TVSB; 2. Downtown Organization meeting; 3. Youth Council gun safety committee; 4. Mayor and City Manager County-wide meeting; 5. United Cerebral Palsy dinner; 6. Ceremony at Santa Barbara Mission.

**PUBLIC COMMENT (IF NECESSARY)**

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 7:55 p.m. in the honor of people who lost their lives in Thousand Oaks, in the fires, and for Joseph Petrich.

Approved and adopted by the City Council of the City of Santa Barbara on December 11, 2018.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



\_\_\_\_\_  
CATHY MURILLO  
MAYOR

ATTEST:



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SARAH GORMAN  
CITY CLERK SERVICES MANAGER