



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
June 27, 2017
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider 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 date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

Mayor Schneider stated that the following item was being removed from the Agenda to be heard at the July 11, 2017 meeting:

21. Subject: Public Employee Performance Evaluation – Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator
Scheduling: Duration, 40 minutes; anytime
Report: None anticipated

PUBLIC COMMENT

Speakers: Dan McCarter, Friends of Arroyo Burro; Maiza Hixon, UCSB, Santa Barbara Center for Art, Science and Technology; Michael Baker, United Boys and Girls Clubs.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Rowse stated that he would abstain from voting on the following item due to a possible conflict of interest related to his business location.

6. Subject: State Street Plaza Maintenance Agreement With Downtown Santa Barbara For Fiscal Year 2018 (530.04)

Recommendation: That Council authorize the Public Works Director to execute a one-year agreement in the amount of \$655,902 with the Downtown Organization of Santa Barbara, Inc., for landscape maintenance, sidewalk cleaning, and general maintenance of the State Street Plaza from Victoria Street to Cabrillo Boulevard, including the Highway 101 underpass and various cross streets, from July 1, 2017, through June 30, 2018.

Motion:

Councilmembers Murillo/White to approve the recommendation.

Vote:

Unanimous voice vote (Abstain: Councilmember Rowse).

Action: Approved the recommendation; Agreement No. 25,913.

CONSENT CALENDAR (Item Nos. 1-5, 7-11)

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

Motion:

Councilmembers Dominguez/White to approve the balance of the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Acceptance And Quitclaim Of Easements At The Santa Barbara Museum Of Natural History (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Grant of a Public Sewer Easement and Access Easement with Reservation of Encroachments; and

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute a Quitclaim Deed Relinquishing Any and All Interests Held by the City of Santa Barbara in the Previously Recorded Sewer Easements Located at 2559 Puesta Del Sol, as Described by Instrument Number 32830, Book 2211, Pages 172 to 173, Recorded May 11, 1967; and by Instrument Number 32826, Book 2211, Pages 159 to 160, Recorded October 17, 1967.

Action: Approved the recommendations; Resolution Nos. 17-052, 17-053; Deed Nos.: 61-501, 61-502 (June 27, 2017, report from the Public Works Director; proposed resolution).

2. **Subject: Fiscal Year 2017 Interim Financial Statements For The Ten Months Ended April 30, 2017 (250.02)**

Recommendation: That Council accept the Fiscal Year 2017 Interim Financial Statements for the ten months ended April 30, 2017.

Action: Approved the recommendation (June 27, 2017, report from the Finance Director).

3. **Subject: City And Santa Barbara Unified School District Joint Use Park Ranger Patrol Services Agreement (570.05)**

Recommendation: That Council authorize the City Administrator to enter into a one-year agreement with the Santa Barbara Unified School District (SBUSD) for Park Ranger Patrol Services at SBUSD properties at a cost to SBUSD in the amount of \$32,048.

Action: Approved the recommendation; Agreement No. 25,912 (June 27, 2017, report from the Parks and Recreation Director).

4. **Subject: Procurement Policies Relating To The United States Office Of Management and Budget Uniform Administrative Requirements For Federally Funded Programs And Projects (150.01)**

Recommendation: That Council approve the delay of the adoption of Uniform Guidance Rules and Regulations for one year, as defined in the Office of Management and Budget 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

Action: Approved the recommendation (June 27, 2017, report from the Finance Director).

5. Subject: Approve Sole Source Purchasing Request For Parking Revenue Control Equipment Maintenance Services And Replacement Parts (550.05)

Recommendation: That Council waive compliance with the formal bid procedure pursuant to Santa Barbara Municipal Code section 4.52.070(K) and authorize the sole source purchase of Skidata, Inc., parking revenue control equipment and replacement parts from Sentry Skidata Group, for a period of five years, and authorize a contract with Sentry Skidata Group to provide equipment maintenance services for the five-year period at an annual cost of \$68,500 per year.

Action: Approved the recommendation (June 27, 2017, report from the Public Works Director).

7. Subject: May 2017 Investment Report (260.02)

Recommendation: That Council accept the May 2017 Investment Report.

Action: Approved the recommendation (June 27, 2017, report from the Finance Director).

8. Subject: Professional Services Agreement With Moffatt & Nichol For The Thousand Steps Repair Project (530.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a professional services agreement with Moffatt & Nichol in the amount of \$49,495 to complete engineering design and construction documents to repair the lower portion of Thousand Steps, and approve expenditures of up to \$4,950 to cover any cost increase that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 25,914 (June 27, 2017, report from the Parks and Recreation Director).

9. Subject: Agreements For Afterschool Recreation Programs (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to enter into agreements with the Santa Barbara Unified School District (SBUSD) for the Recreation Afterschool Program (RAP), Afterschool Opportunities for Kids (A-OK!), and Junior High Afterschool Sports Program (Junior High).

Action: Approved the recommendation; Agreement Nos. 25,915 – 25,917 (June 27, 2017, report from the Parks and Recreation Director).

10. Subject: Service Agreement With Thresholds To Recovery To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to execute a three-year Service Agreement with Thresholds to Recovery, Inc. to operate the Sobering Center beginning July 1, 2017, and ending June 30, 2020, with annual fees not to exceed \$245,508 in FY 2018, \$252,768 in FY 2019 and \$260,292 in FY 2020.

Action: Approved the recommendation; Agreement No. 25,918 (June 27, 2017, report from the Police Chief).

NOTICES

11. Subject: The City Clerk has on Thursday, June 22, 2017, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

- 12. Subject: Proposed Ballot Measure On Sales Tax Increase For Critical Infrastructure Needs And Essential Community Services For The November 7, 2017, General Election (110.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Calling for the Submission of a Proposition Measure at the General Municipal Election to be Held in the City on Tuesday, November 7, 2017, for the Enactment of a City Ordinance Imposing a Transactions and Use Tax Ordinance to be Administered by the State Board of Equalization.

The title of the Resolution was read.

Documents:

- June 27, 2017, report from the City Administrator.
- PowerPoint presentation prepared and presented by staff
- Proposed resolution.

Speakers:

- Staff: City Administrator Paul Casey; Senior Assistant to the City Administrator Matt Fore, Senior Assistant to the City Administrator Nina Johnson, City Engineer Brian D'Amour; City Attorney Ariel Calonne, Finance Director Bob Samario; City Clerk Services Manager Sarah Gorman.
- Planning Commission: Mike Jordan.
- Members of the Public: John Coie; Steve Epstein; Bonnie Raisin; Maggie Campbell, Downtown Santa Barbara, Inc.; Dave Lombardi.

Motion:

Councilmembers Hart/White to approve the staff recommendation; Resolution No. 17-054.

Vote:

Majority voice vote (Noes: Councilmembers Hotchkiss and Rowse).

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: Introduction Of Ordinance To Sell Exclusive Right To Repurchase 420 East De La Guerra Street (Presidio Park Apartments) (330.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance Of The Council Of The City Of Santa Barbara Approving the Sale of the Exclusive Right to Repurchase Property Located at 420 East De La Guerra Street to Presidio Park, LP, for the Amount of \$12,029,200; Approving A Loan to Presidio Park, LP in the Amount of \$11,197,900 Secured by a First Deed of Trust Recorded on the Property; Approving an Affordability Control Covenant Imposed on Real Property; and Authorizing the Community Development Director to execute such Agreements and Related Documents as Necessary.

The title of the Ordinance was read.

Documents:

- June 27, 2017, report from the Community Development Director.
- PowerPoint presentation prepared and presented by staff.
- Proposed ordinance.

Speakers:

- Staff: Project Planner David Rowell.
- Member of the Public: Rob Fredericks, Housing Authority of the City of Santa Barbara.

Motion:

Councilmembers Murillo/Rowse to approve the staff recommendation.

Vote:

Unanimous roll call vote.

FINANCE DEPARTMENT

14. Subject: Adoption Of The Two Year Financial Plan For Fiscal Years 2018 And 2019 And The Operating And Capital Budget For Fiscal Year 2018 (230.05)

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Two-Year Financial Plan for Fiscal Years 2018 and 2019;
- B. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2018 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- C. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2018;
- D. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees and Rescinding Resolution Nos. 16-044, 16-054, 17-016, 17-028 and 17-032;
- E. A Resolution of the Council of the City of Santa Barbara Establishing Waterfront Harbor Slip, Mooring and User Fees and Rescinding Resolution No. 16-048;
- F. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective June 27, 2017, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2018 Fiscal Year;
- G. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2018; and
- H. A Resolution Of The Council Of The City Of Santa Barbara Authorizing The Public Works Director To Execute Water Purchase Agreements, In A Form Approved By The City Attorney, And In Accordance With The Appropriation In The Approved Budget As May Be Amended From Time To Time.

The title of the Resolutions were read.

Documents:

- June 27, 2017, report from the Finance Director.
- PowerPoint presentation prepared and presented by staff.
- Proposed resolutions.

Speakers:

- Staff: Finance Director Robert Samario.

Councilmembers Rowse stated he would recuse himself from voting on Item E due to being a current slipholder in the marina. Councilmember Rowse was excused at 3:48 p.m.

Motion:

Councilmembers Murillo/White to approve recommendation E; Resolution No. 17-059.

Vote:

Majority roll call vote. (Abstention: Councilmembers Rowse).

Councilmember Rowse returned to the Council meeting at 3:49 p.m.

Motion:

Councilmembers White/Rowse to approve recommendations A-D and F through H.

Vote:

Unanimous roll call vote; Resolution Nos.: 17-055 – 17-058; and Resolution Nos. 17-060 – 17-062.

RECESS

3:50 p.m. – 4:00 p.m.

On the Mayor's direction, Item 16 was heard before Item 15.

PUBLIC HEARINGS

PARKS AND RECREATION DEPARTMENT

15. Subject: Cabrillo Pavilion Fundraising Campaign Gift Recognition Guidelines Including Naming Opportunities (700.06)

Recommendation: That Council consider gift recognition guidelines and provide preliminary direction for internal and external naming opportunities in support of the Cabrillo Pavilion fundraising campaign.

Documents:

- June 27, 2017, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and presented by staff.

Speakers:

- Staff: Parks and Recreation Director Jill Zachary.
- Member of the public: Scott Burne.

Motion:

Councilmembers White/Hart to study gift recognition guidelines for Cabrillo Pavilion.

Vote:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

17. Subject: Tenant Protection Task Force (580.01)

Recommendation: That Council:

- Form a Tenant Protection Task Force consisting of one representative from each of the following organizations: California Apartment Association, Central Coast Alliance for a Sustainable Economy (CAUSE), Housing Authority of the City of Santa Barbara, Restorative Community Network, Santa Barbara Board of Realtors, Santa Barbara Rental Property Association, an at-large landlord representative, and an at-large tenant representative;
- Appoint two City Council member liaisons to the Task Force; and
- Direct the Tenant Protection Task Force to consider and make recommendations to Council on the following: enhancement options for the City's Rental Housing Mediation Program; mandatory leases; safety inspections; just cause evictions; and other tenant protection alternatives (except rent control), as appropriate.

Documents:

- June 27, 2017, report from the Community Development Director.
- PowerPoint presentation prepared and presented by staff.

Speakers:

- Staff: Community Development Business Manager Sue Gray.
- Members of the Public: Rob Kooyman; Laura Bode, Santa Barbara Association of Realtors; Krista Pleiser, Santa Barbara Association of Realtors; Steven Battaglia, Santa Barbara Association of Realtors.

Motion:

Councilmembers Hotchkiss/Rowse to appoint Councilmembers Dominguez as observers, change the title of the task force to Tenant Landlord Task Force, and permit the groups to nominate representatives, and include the remainder of the staff recommendation.

Vote:
Unanimous voice vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

18. 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 Kevin Corbett v. City of Santa Barbara, WCAB Case #: ADJ9399000.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

June 27, 2017, report from the City Attorney.

Time:

5:10 p.m. – 5:25 p.m.

No report made.

19. Subject: Conference With City Attorney – Anticipated Litigation (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:

June 27, 2017, report from the City Attorney.

Time:

5:25 p.m. – 5:55 p.m.

No report made.

20. Subject: Conference With City Attorney – Anticipated Litigation (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)(2) and take appropriate action as needed. The anticipated litigation is based upon significant exposure to litigation arising out of the City of Goleta's appeal of the approval of development at 6100 Hollister Avenue.

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

Documents:

June 27, 2017, report from the City Attorney.

Time:

5:55 p.m. – 6:05 p.m.

No report made.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported her attendance at the following: 1) the Solstice Festival; 2) the IBEW Local 413 100 year anniversary dinner; 3) the Westside Community Group's Cleanup event.
- Councilmember Rowse reported on his attendance at the Mesa Town Hall Meeting where a presentation was given on infrastructure.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:05 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on 9-26, 2017.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SARAH P. GORMAN
CITY CLERK SERVICES MANAGER