



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

### **REGULAR MEETING SEPTEMBER 17, 2019 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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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 met at 12:30 p.m.)

#### **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: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

#### **CEREMONIAL ITEMS**

**1. Subject: Museum Day, September 21, 2019 (120.04)**

Action: Proclamation presented to the Santa Barbara Museum of Art and the Santa Barbara Maritime Museum.

**2. Subject: Hayward Lumber's 100th Anniversary (120.04)**

Action: Proclamation presented to Hayward Lumber's General Manager Scott Jones.

#### **CHANGES TO THE AGENDA**

City Attorney Ariel Calonne stated that Item Nos 18-19 will be heard and rescheduled for a future meeting.

## **PUBLIC COMMENT**

Members of the Public: Paul R. Zink; Mark Marshall Wofford; Caroline Abate; Bryan Rosen; Anna Marie Gott; Renny Dean Strong.

## **CONSENT CALENDAR (Item Nos. 3 - 13)**

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

### **Motion:**

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

### **Vote:**

Unanimous roll call vote.

### **3. Subject: Minutes**

Recommendation: That Council waive reading and approve the minutes of the regular meetings of August 6, and August 13, 2019.

Action: Approved the recommendation.

### **4. Subject: Introduction Of Ordinance Approving A License Agreement With The County Of Santa Barbara For Installation Of County-Owned Fiber Optic Cable In City-Owned Underground Conduit (530.07)**

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 Execution of a License Agreement with the County of Santa Barbara for Use of City-Owned Underground Conduit.

Action: Approved the recommendation (September 17, 2019, report from Public Works Director; proposed Ordinance).

### **5. Subject: Adoption Of Ordinance Approving A License Agreement With Southern California Gas Company For Communications Equipment On City Street Lights (380.02)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a License Agreement with Southern California Gas Company for Communications Equipment Installations on City Street Lights.

Action: Approved the recommendation; Ordinance No. 5902; Agreement No. 26,550.

**6. Subject: Adoption Of An Ordinance Authorizing A License Agreement With AT&T Mobility For Wireless Installations On City Street Lights (530.01)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a License Agreement with AT&T Mobility for Wireless Installations on City Street Lights, Including Authorization for Site Specific Licenses.

Action: Approved the recommendation; Ordinance No. 5903; Agreement No. 26,551.

**7. Subject: Adoption Of Ordinance Extending The School Zone Speed Limit Near Monte Vista Elementary School (530.05)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Section 10.20.040 to Extend the Speed Zoning Near Schools to Include Hope Avenue Between Lincoln Road and Pueblo Avenue.

Action: Approved the recommendation; Ordinance No. 5904.

**8. Subject: Adoption Of Ordinance For Lease Agreement With Mission Support And Test Services LLC (330.04)**

Recommendation: That Council 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 Between the City of Santa Barbara and Mission Support and Test Services to Lease 8,800 Square Feet of Building 226, and 47,692 Square Feet of Adjacent Land at 6190 Francis Botello Road at Santa Barbara Airport for a Term of Seven Years and Six Months (7.5 Years) Commencing Upon the First Day of the Month Following Adoption of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5905; Agreement No. 26,552.

**9. Subject: Adoption Of An Ordinance Amending The Municipal Code Pertaining To Park Closing Times, Park Playgrounds And Aquatic Facilities, Portable Grills And Stoves, And Off-Leash Dog Areas (570.05)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 15, Chapter 15.15 of the Municipal Code by Adding Section 15.16.265 Pertaining to Exclusive Designated Children Playgrounds and Aquatic Facilities, Adding Section 15.16.270 Pertaining

to Use of Portable Self-Contained Grills and Stoves in Parks, Amending Sections 15.16.250 and 15.16.260 Pertaining to Park Closing Times, and Amending Title 6, Chapter 6.08 by Amending Section 6.08.020 Pertaining to Off Leash Dog Areas in City Parks.

Action: Approved the recommendation; Ordinance No. 5906.

**10. Subject: Fiscal Year 2019 Fourth Quarter Review (250.02)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the Fiscal Year ended June 30, 2019;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2019; and
- C. Approve the proposed adjustments to the Fiscal Year 2019 budget as detailed in the attached Schedule of Proposed Fourth Quarter Budget Adjustments.

Councilmember Dominguez commented that the Finance Committee met and reviewed last year's budget, and that revenues came in higher than expected and expenses lower than expected. Finance Committee approved the recommended action.

Action: Approved the recommendations (September 17, 2019, report from the Finance Director).

**11. Subject: Funding Recommendations For Community Art, Events And Festivals Grants And Annual Contract With The Santa Barbara County Office Of Arts And Culture (150.04)**

Recommendation: That Council:

- A. Review and approve the City of Santa Barbara Arts Advisory Committee and Community Events and Festivals Committee grant funding recommendations for Fiscal Year 2020; and
- B. Authorize the City Administrator to execute an agreement with the Santa Barbara County Office of Arts and Culture in the amount of \$475,100, of which \$305,100 will be re-granted, as approved in the Fiscal Year 2020 budget.

Action: Approved the recommendations; Agreement No. 26,553 (September 17, 2019, report from the City Administrator).

**12. Subject: Proposed Assignment Of Lease Agreement No. 25,436 – Blue Water Hunter, Located At 117-D Harbor Way (570.03)**

Recommendation: That Council approve the assignment of Lease Agreement No. 25,436 from Mr. Andrew Taylor, d.b.a. Blue Water Hunter, to Jethro Acosta for the 878 square foot retail store located at 117-D Harbor Way.

Action: Approved the recommendation (September 17, 2019, report from the Waterfront Director).

## NOTICES

13. Subject: The City Clerk has on Thursday, September 12, 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 FINANCE COMMITTEE**

Finance Committee Chair Dominguez commented that the Finance Committee met and reviewed last year's budget, and that revenues came in higher than expected and expenses lower than expected. Finance Committee approved the recommended action.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Sneddon stated that the Committee reviewed the Zoning Ordinance text amendments and unanimously voted to forward the text revisions to City Council.

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

### COMMUNITY DEVELOPMENT DEPARTMENT

14. **Subject: Agreement With Northern Santa Barbara County United Way/Home For Good SBC For Fiscal Year 2020 (660.04)**

Recommendation: That Council:

- A. Authorize the Community Development Director to execute a funding agreement for \$50,000 with the Northern Santa Barbara County United Way/Home for Good SBC (United Way) as the Coordinating Agency to provide services for access to the Santa Barbara County Coordinated Entry System (CES) to address homelessness and to provide supervision for the AmeriCorps volunteers program in the City with CES coordination and oversight; and
- B. Appropriate Socio-Economic Mitigation Program (SEMP) funds in the amount of \$30,353.22 for this agreement from available reserves.

Documents:

- September 17, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
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**Speakers:**

- Staff: Housing and Human Services Manager Laura Dubbels.
- United Way – Northern Santa Barbara County: CEO Eddie Taylor; Director of Homeless and Veteran Programs Emily Allen; Housing and Outreach Coordinator Jessica Lucas.
- County of Santa Barbara: Kimberly Albers.

**Motion:**

Councilmembers Sneddon/Harmon to approve the staff recommendations; Agreement No. 26,554.

**Vote:**

Unanimous roll call vote.

**15. Subject: Agreement With Santa Barbara Alliance For Community Transformation (SB ACT) To Provide Regional Coordination For Homeless Assistance (660.04)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$100,000 with Santa Barbara Alliance for Community Transformation (SB ACT) to provide administrative oversight and a venue through which government agencies and nonprofit organizations can strategize and coordinate operations in a unified response to homelessness.

**Documents:**

- September 17, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- August 12, 2019, email from Mark Gisler.
- September 10, 2019, email from Sharon Byrne.
- September 12, 2019, email from Rolf Geyling.

**Speakers:**

- Staff: Housing and Human Services Manager Laura Dubbels.
- SB ACT: Executive Director Rich Sander; Director of Initiatives Jeff Schaffer, Landon Rank
- Santa Barbara Foundation: CEO Ron Gallo; Chief Strategy Officer Barbara Andersen.
- Members of the Public: Carrie Kelly, Downtown Santa Barbara; Lanny Ebenstein.

**Motion:**

Councilmembers Friedman/Sneddon to approve the staff recommendation.

Substitute motion:

Councilmember Dominguez to join the Santa Barbara Foundation in how to support the organization.

Substitute motion failed for lack of a second.

Vote on original motion:

Unanimous roll call vote; Agreement No. 26,555.

## **RECESS**

3:50 p.m. – 4:02 p.m.

## **PUBLIC WORKS DEPARTMENT**

**16. Subject: Review Of Santa Barbara Police Station Alternative Sites And Designation Of A Preferred Site Alternative For Review Under The California Environmental Quality Act; Direct Staff To Initiate Conceptual Project Design And Environmental Review (700.08)**

Recommendation: That Council designate the Cota Commuter Parking Lot as the preferred site alternative for the new Santa Barbara Police Station for the purposes of environmental review under the California Environmental Quality Act, and direct staff to initiate environmental review and conceptual project design.

Councilmember Rowse stated that he is recusing himself from this item due to the proximity of his business to a site being considered. He was excused from the meeting at 4:03 p.m.

### **Documents:**

- September 17, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.
- September 10, 2019, email from Jeff Shelton.
- September 10, 2019, email from Mary E. O'Gorman.
- September 13, 2019, email from Beebe Longstreet.
- September 15, 2019, email from Kathy McGill.
- September 15, 2019, email from Laurence Hauben.
- September 16, 2019, email from Mark Moses Alvarado.
- September 16, 2019, email from Paulina Conn.

- September 16, 2019, email from Rebecca Hardin.
- September 16, 2019, email from Sam Edelman.
- September 16, 2019, email from Nancy Carlson.

**Speakers:**

- Staff: Principal Project Planner Brad Hess; Senior Planner Sara Iza; Assistant City Attorney Sarah Knecht.
- Cearnal Collective: Brian Cearnal.
- Parks and Recreation Commission: Commissioner Nichol Clark.
- Members of the Public: Lindsay Baker; John Van Donge, Police Activities League; Janet Napier, Santa Barbara Lawn Bowls Club; Greg Hons, Santa Barbara Police Foundation; Ken D. Fink; Kevin McGibben, Logic Monitor; Lanny Ebenstein; Bill Palmisano; Nancy Carlson; Lee Williams; Ben Sprague, CEO Earl Warren Showgrounds; Bryan Rosen; Sam Edelman, Santa Barbara Farmers Market Association; Bob Stout; Jim Armstrong; Steve Epstein; Noey Turk; Debby Takikawa, SBCFMA; Pico Widdick, SBCFMA; Julia Mayer; Janice Knight; Jennifer Bergquist; Jacob Grant; Carrie Kelly, Downtown Santa Barbara; Randall Wade; Patty Love; Nancy Rapp; Kim Miller, McCloskey Nursery; Chris Shemet; Melissa Sorongon; Michael Meredith; Wesley Roe, S.B. Permaculture Network; Katie Hershfelt; Danielle Siano; Sheila Lodge; Nancy Bertelsen; Ariana Rose Palmisano; Clara Cadwell, Tutti Frutti Farms; Moaz Bensalem, Santa Certified Farmers Market; Chanel; Michal Lynch; Sharon Fitzpatrick; Marla; Alex Frecker, SBFMA; Alan Moraels; Sandy Lejeune, SB Certified Farmers' Market Association; Vicky, Santa Barbara F. Market; Anna Marie Gott; Mara Hochman; Mark Sheridan.

**Motion:**

Councilmembers Friedman/Gutierrez to approve the staff recommendation.

**Substitute motion:**

Councilmember Dominguez to take 10-12 weeks and direct staff to return with more information.

Substitute motion failed for lack of a second.

**Vote on original motion:**

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

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**



- Councilmember Dominguez attended the following events or meetings: 1. Eastside Common Table; 2. Customer Appreciation event at Atlantic Aviation at the Airport; 3. Casa de la Raza fundraiser; 4. Riviera Association board meeting; 5. Eastside Santa Barbara Society board meeting; 6. Taste of Coast Village event.
- Councilmember Friedman attended the following events or meetings: 1. Library Advisory Committee meeting; 2. Congressman Carbajal event regarding offshore drilling ban bill.
- Councilmember Gutierrez attended the following events or meetings: 1. Santa Barbara Youth Council meeting; 2. Neighborhood Advisory Committee meeting; 3. Paid respects to Salvador Aboytes.
- Councilmember Sneddon attended the following events or meetings: 1. Mesa candidate forum; 2. SBHS Back to School night; 3. City College State of the College presentation; 4. Taste of Coast Village event; 5. Riviera Association board meeting.
- Mayor Murillo attended the following events or meetings: 1. APA meeting; 2. Fundraiser for New House; 3. Speaker at SB Associates; 4. South County Sub Regional meeting of SBCAG.

#### **PUBLIC COMMENT (IF NECESSARY)**

#### **CLOSED SESSIONS**

The closed session items were continued to an undetermined date.

#### **17. Subject: Conference Involving Joint Power Agency – Cachuma Conservation Release Board (CCRB) (160.03)**

Recommendation: That Council hold a closed session pursuant to Government Code section 54956.96 to discuss and take action, if necessary, on matters involving the Cachuma Conservation Release Board.

Discussion will concern:

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Government Code section 54956.9(d) (One potential case)

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** Government Code section 54956.9(d)(1) (One case: State Water Resources Control Board adjudicatory proceeding regarding Cachuma Project water rights)

Name of City representative on CCRB: Councilmember Sneddon

Name of Alternate City representative on CCRB: Councilmember Friedman

Scheduling: Duration: 15 minutes; anytime

Report: None anticipated

This item was continued to an undetermined date.

**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 Thomas Felkay as Trustee of the Emprise Trust v. COSB, et al. SBSC Case No. 17CV03351.

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

This item was continued to an undetermined date.

**19. Subject: Conference With City Attorney -- Anticipated Litigation -- Gov. Code § 54956.9(d)(4): Initiation Of Litigation On One Matter (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

This item was continued to an undetermined date.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 8:31 p.m. in honor of Salvador Aboytes.

Approved and adopted by the City Council of the City of Santa Barbara on October 15, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

  
\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER