



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
OCTOBER 15, 2019**

**COUNCIL CHAMBERS, 735 ANACAPA STREET; AND AND
HOTEL LOBBY; SOFTEL HOTELS & RESORTS; NO. 66, LUOYUAN
AVENUE, JINAN 250063, SHANDONG, P.R. CHINA**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Ordinance Committee and Finance Committee, met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Murillo.

ANNOUNCEMENT REGARDING TELEPHONIC APPEARANCE

Mayor Murillo announced that Councilmember Gutierrez is participating telephonically from the hotel lobby of his hotel in China, and that all the votes at the meeting will be roll call votes.

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: Indigenous Peoples Day - October 14, 2019 (120.04)

Action: Proclamation presented to Art Cisneros, Chumash Family; Michael Cordero, Coastal Band of the Chumash Nation; and Marcus Lopez, Barbaveno Chumash Tribal Council; Emiliano Campobello.

CHANGES TO THE AGENDA

City Administrator Paul Casey stated that the following item will be rescheduled to a later meeting.

15. 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

PUBLIC COMMENT

Members of the Public: Mark Marshall Wofford, Y.M.C.A. Dudak Surfrider Foundation; Monica C. Ramirez, C.A.R.R.M.A.; Janet Rowse, Safe Launch; Ron Cuff, Safe Launch; Rich Wayman, Nuclear Age Peace Foundation; Susie Snyder, ICAN; Phil Walker; Rick Closson; Cruzito Herrera Cruz; Lauren Trujillo, SB Reads 2019; Anna Marie Gott; Marisol Ortiz, La Casa de la Raza.

ITEM REMOVED FROM THE CONSENT CALENDAR

5. Subject: Adoption Of Ordinance Amending Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Parking (550.08)

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 Sections 17.36.010, 17.36.020, 17.36.035, 17.36.040, 17.36.060, and 17.36.080 Pertaining to Waterfront Parking.

Councilmember Rowse stated that he was recusing himself from participation in this item.

Councilmember Rowse was excused from the meeting at 2:48 p.m.

The title of the Ordinance was read.

Speakers:

- Member of the Public: M. Pennington.

Documents:

- October 15, 2019, report from the Acting Waterfront Director.
- Proposed ordinance.

Motion:

Councilmembers Sneddon/Harmon to approve the recommended action.

Vote:

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

Action: Approved the recommendation; Ordinance No. 5911.

Councilmember Rowse returned to the meeting at 2:55 p.m.

CONSENT CALENDAR (Item Nos. 2 – 4, 6 – 10)

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

Motion:

Councilmembers Dominguez/Sneddon 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 10, and September 17, 2019.

Action: Approved the recommendation.

3. Subject: Introduction Of Ordinance For Municipal Code Amendments Related To Purchasing And Contracts To Streamline Purchasing Of Routine And Construction Services And To Update And Clarify The Purchasing Process (530.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 4.52 and Section 9.126.010 of the Santa Barbara Municipal Code Relating to Purchasing and Contracts.

Action: Approved the recommendation (October 15, 2019, report from the Public Works Director; proposed Ordinance).

4. Subject: Adoption Of Ordinance Relating To Water Pollution Prevention, Protection Of Watercourses, City Storm Drain System, And Water Use (540.1)

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 Sections 14.04.020, 14.08.180, and Chapter 14.56, and Repealing Chapter 16.15, Relating to Protection of Waters, Watercourses, the City's Storm Drain System, Waste of Water and Irrigation Meters.

Action: Approved the recommendation; Ordinance No. 5910.

6. Subject: Adoption Of Ordinance For A Lease Agreement With Harbor Marine Works (570.03)

Recommendation: That Council 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 Harbor Marine Works Located at 122 Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5912; Agreement No. 26,569.

7. Subject: Adoption Of Ordinance For A Lease Agreement With Marine Services (570.03)

Recommendation: That Council 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 Marine Services Located at 117-G Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5913; Agreement No. 26,570.

8. Subject: Stern Family Trust Funds To Support Tennis Facilities (570.08)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 18-093, Which Accepts a Donation from the Stern Family Trust in the Amount At or Around \$360,948 for the Exclusive Use and Benefit of the City Parks and Recreation Department Tennis Facilities, by Revising the Donation Amount Certain to \$380,623; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2020 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$19,675.

Action: Approved the recommendations; Resolution No. 19-079(October 15, 2019, report from the Parks and Recreation Director; proposed Resolution).

NOTICES

9. Subject: The City Clerk has on Thursday, October 10, 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.
10. Subject: The Agenda was also posted at Hotel Lobby; Sofitel Hotels & Resorts; No. 66, Luoyuan Avenue, Jinan 250063, Shandong, P.R. China.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dominguez reported that the Committee made a recommendation to Council regarding sewer lateral program fees.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Committee heard updates to abandoned shopping cart ordinance, which will be coming forward to Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

11. **Subject: Preliminary General Fund Year-End Results And Reserve Balances For Fiscal Year Ended June 30, 2019 (210.01)**

Recommendation: That Council:

- A. Hear a report on preliminary year-end results for the General Fund for the fiscal year ended June 30, 2019, and estimated reserve balances as of June 30, 2019; and
- B. Approve the adjustments to the General Fund budget as detailed in the attached Schedule of Proposed Budget Adjustments.

Documents:

- October 15, 2019, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Robert Samario.

Motion:

Councilmembers Friedman/Dominguez to approve the staff recommendations.

Vote:

Unanimous roll call vote.

CITY ADMINISTRATOR

12. Subject: Establishment Of A Subcommittee To Support The Development Of A Relocation Plan For The Santa Barbara Farmers' Market From The Cota Commuter Lot (180.02)

Recommendation: That Council:

- A. Form a Farmers' Market Relocation Subcommittee that would meet in accordance with the Ralph M. Brown Act to identify alternative sites for the Saturday morning Farmers' Market; and
- B. Appoint up to three Councilmembers to the Farmers' Market Relocation Subcommittee.

Councilmember Rowse stated that he was recusing himself from consideration of this item due to his ownership of a downtown business. He was excused from the meeting at 3:06 p.m.

Documents:

- October 15, 2019, report from the City Administrator's Office.

Speakers:

- Staff: City Administrator Paul Casey.
- Members of the public: Noey Turk, Farmers Market; Sam Edelman.

Councilmembers Sneddon, Friedman, Harmon, Dominguez, and Gutierrez each expressed their interest in serving.

Vote:

For Dominguez: Councilmember Dominguez.

For Friedman: Councilmembers Harmon, Sneddon, Friedman, Mayor Murillo.

For Gutierrez: Councilmembers Sneddon, Gutierrez.

For Harmon: Councilmembers Harmon, Dominguez, Friedman, Gutierrez, Mayor Murillo.

For Sneddon: Councilmembers Harmon, Dominguez, Friedman, Gutierrez, Mayor Murillo.

Appointments:

Councilmembers Sneddon, Friedman, and Harmon were appointed to the Farmers' Market Relocation Subcommittee.

Councilmember Rowse rejoined the meeting at 3:20 p.m.

PUBLIC WORKS DEPARTMENT

13. Subject: Public Hearing For Approval Of Community Choice Aggregation Implementation Plan (630.06)

Recommendation: That Council:

- A. Conduct a public hearing to consider and approve a Santa Barbara Community Choice Aggregation Implementation Plan and direct staff to submit the Plan to the California Public Utilities Commission for review and certification;
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Establishing a Community Choice Aggregation Program Pursuant to the Public Utilities Code; and
- C. Consider potential names for a Santa Barbara Community Choice Aggregation entity.

The title of the Ordinance was read.

Public Hearing opened: 3:20 p.m.

Documents:

- October 15, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.

Speakers:

- Staff: Administrative Analyst Alelia Parenteau; Assistant City Attorney Sarah Knecht.
- Consultant: John Dalessi, Pacific Energy Advisors
- Members of the public: Tim Mahoney, Southern California Gas Company; Phil Walker.

Motion:

Councilmembers Sneddon/Friedman to approve the staff recommendations, including consideration of SB 255, and with the name "Santa Barbara Clean Energy."

Vote:

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

Public hearing closed: 4:00 p.m.

RECESS

4:00 p.m. – 4:06 p.m.

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 October 22, 2019.
- (Estimated Time: 4:00 p.m.) (Continued from October 8, 2019.)

Documents:

- October 15, 2019, report from the City Administrator.

Councilmember Gutierrez was excused from the meeting at 4:40 p.m.

The following applicants were interviewed:

Arts Advisory Committee

Margie Yahyavi

William Smithers

Civil Service Commission

Lindsey Charles

Stephen Weiss

Community Development and Human Services Committee

Jenna Rolle

Fire and Police Commission

Robert Freeman

Housing Authority Commission

Steven Faulstich

Mary Fenger

Library Board

Andrew Wilson

Elizabeth Bauer

Mackenzie Wildman

Neighborhood Advisory Council

Ann Pena

Beverly Perkins

Parks and Recreation Commission

Jacob Lesner-Buxton

Planning Commission

Jarrett Gorin

Water Commission

Jeffrey Young

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Community Latino breakfast.
- Councilmember Friedman attended the following events or meetings: 1. Fund for Santa Barbara Bread and Roses event; 2. St. Barbara Parish picnic; 3. Arts grant reception; 4. Visit Santa Barbara fall tourism summit; 5. Library Board meeting; 6. Harbor and Seafood Festival; and 7. Notre Dame alumni event.
- Councilmember Sneddon attended the following events or meetings: 1. Discussed upcoming Youth Council Candidate Forum on October 28.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

15. 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 a later date.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:03 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 12, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE


CATHY MURILLO

ATTEST:


SARAH GORMAN

MAYOR

CITY CLERK SERVICES MANAGER