



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
MAY 8, 2018
COUNCIL CHAMBERS, 735 ANACAPA**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 p.m. The 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, Gregg Hart, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, Assistant City Administrator Pam Antil; City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

1. Subject: ME/CFS & Fibromyalgia Awareness Day - May 12, 2018 (120.04)

Recommendation: Proclamation presented to Taylor Morgan; Marilyn Simon-Gersuck; Larry Trager; and Brad Windsor.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Speakers: Mark Craig, Coastal Byproducts; Phil Walker; Pete Dal Bello; David Williams, Great Spirit Relay; John De Herrera; Michael Baker, United Boys and Girls Club; Bob Ludwick, Coast Village Association; Christal Barros; Nancy Newland, RN.

CONSENT CALENDAR (Item Nos. 2 – 11)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes (000.00)

Recommendation: That Council waive reading and approve the minutes of the regular meetings of February 6, February 13, February 27, March 6, March 13, March 20, March 27, April 10, and April 17, 2018 and the special meetings of February 26, and April 13, 2018.

Action: Approved the recommendation, including amended minutes for the regular meeting of April 17, 2018.

3. Subject: Adoption Of Ordinance Regarding Proposed Lease Amendment Two Of Lease Agreement No. 23,564 With Conway Vineyards, Inc. (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 Waterfront Director to Execute a Second Amendment to Lease Agreement No. 23,564 with Conway Vineyards, Inc. to Increase the Premises by 610 Square Feet and the Base Rent to \$87,959.70 Annually, for the Leased Space at 217-G Stearns Wharf, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5833; Agreement No. 23,564.2.

4. Subject: Adoption Of A Resolution Authorizing The Introduction Of New Fees To Parks And Recreation Department Fiscal Year 2018 Fees And Charges Schedule (570.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 17-058, Establishing Certain City Fees, to Authorize the Introduction of New Parks and Recreation Fees.

Action: Approved the recommendation; Resolution No. 18-029 (May 8, 2018, report from the Parks and Recreation Director; proposed resolution).

5. Subject: Termination Of Lease With Leather Depot, Inc., Doing Business As Coastal Treasures On Stearns Wharf (330.04)

Recommendation: That Council consent to the termination of Lease No. 23,678, entered into with Leather Depot Inc., located at 217-E Stearns Wharf, effective as of May 9, 2018.

Action: Approved the recommendation (May 8, 2018, report from the Waterfront Director).

6. Subject: Amendment To Access And Use Permit Agreement With Infax, Inc., For Flight Information Display Systems In The Airline Terminal Building (560.02)

Recommendation: That Council authorize the Airport Director to execute an amendment to the Access and Use Permit Agreement (Number 25,446) with Infax, Inc. to expand the scope of services to include a custom visual paging solution.

Action: Approved the recommendation; Agreement No. 25,446.1 (May 8, 2018, report from the Airport Director).

7. Subject: Sole Source Purchase Of Norwell Outdoor Fitness Equipment For The Cabrillo Ball Park Renovation Project (570.05)

Recommendation: That Council waive compliance with formal bid procedures pursuant to Santa Barbara Municipal Code section 4.52.070(K) and authorize the sole source purchase of Norwell Outdoor Fitness equipment from Out-Fit for \$62,436.

Action: Approved the recommendation; (May 8, 2018, report from the Parks and Recreation Director).

8. Subject: Extension Of Independent Audit Contract (220.03)

Recommendation: That Council approve and authorize the Finance Director to execute an extension of the existing professional services agreement for one year with Lance, Soll & Lunghard, LLP, Certified Public Accountants (LSL), to perform an independent audit of the City of Santa Barbara for the fiscal year ending June 30, 2018 in a total amount not to exceed \$71,089.

Action: Approved the recommendation; Agreement No. 23,809.4 (May 8, 2018, report from the Finance Director).

9. Subject: Contract For Construction Of Hitchcock Way Sewer Main Interceptor (540.13)

Recommendation: That Council award a contract with D-Kal Engineering, Inc., in their low bid amount of \$167,904 for construction of the Hitchcock Way Sewer Main Interceptor Project, Bid No. 3901; and authorize the Public Works Director to execute the contract and approve additional expenditures up to \$16,790 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 for a total contract amount of \$184,694.

Action: Approved the recommendation; Agreement No. 26,098 (May 8, 2018, report from the Parks and Recreation Director).

10. Subject: Parking Management Agreement With Republic Parking Systems LLC (550.08)

Recommendation: That Council authorize the Airport Director to execute a three-year, with two one-year options, management agreement with Republic Parking Systems LLC, a Tennessee Corporation, for management and operation of the Airport's short and long-term parking lots as well as seasonal shuttle service and other services as may be required, for \$36,000 annually and \$108,000 over the three-year term, with incremental increases if the Airport elects to exercise the additional options for years four and five.

Action: Approved the recommendation; Agreement No. 26,099 (May 8, 2018, report from the Airport Director).

NOTICES

11. Subject: The City Clerk has on Thursday, May 3, 2018, 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. (000.00)

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee met to hear a presentation regarding the Fiscal Year 2019 Recommended Budget General Fund Fees and the Committee unanimously approved the recommended fees.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

12. Subject: Annual Wastewater Collection System Report (540.13)

Recommendation: That Council receive a report from staff on calendar year 2017 wastewater collection system maintenance and management activities.

Documents:

- May 8, 2018, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Wastewater Systems Manager Lisa Arroyo.
- Santa Barbara Channelkeeper: Kira Redmond.

The Council heard the report and their questions were answered.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARINGS

13. Subject: Appeal Of The Planning Commission's Approval Of The 6210-6290 Hollister Avenue Automobile Dealership Project (640.07)

Recommendation: That Council:

- A. Consider the appeal of Michelle Greene, Goleta City Manager, of the Planning Commission's approval of a Development Plan for an automobile dealership at 6210-6290 Hollister Avenue; and
- B. Take one of the following three actions: 1. Approve the Development Plan for the automobile dealership at 6210-6290 Hollister Avenue and direct

staff to return to Council with a Decision and Findings resolution reflecting the Council's decision; 2. Deny the project and direct staff to return to Council with a Decision and Findings resolution reflecting the Council's decision; or 3. Continue the item with direction to staff about changes to the project, conditions of approval, and/or California Environmental Quality Act review process, and return for further action.

Documents:

- May 8, 2018, report from the Community Development Director.
- February 20, 2018, letter from appellant City of Goleta.
- May 8, 2018, letter from appellant City of Goleta.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by applicant.
- PowerPoint presentation prepared and made by appellant.

Public comment opened at 3:15 p.m.

Speakers:

- Staff: Project Planner Andrew Bermond.
- Airport Commission: Commissioner Carl Hopkins.
- Appellant: Mayor Paul Perotte, City of Goleta; Winnie Cai, City of Goleta; Gerald Comati, COM3 Consulting, Inc.; Councilmember Kyle Richards, City of Goleta.
- Applicant: Trish Allen, Suzanne Elledge Planning and Permitting; Scott Schell, Associated Transportation Engineers.

The Mayor and Council stated that there were no reportable ex parte communications.

RECESS

3:58 p.m. – 4:02 p.m.

The item resumed at 4:02 p.m.

Public comment closed at 4:21 p.m.

Motion:

Councilmembers Rowse/Friedman to approve staff recommendation B(1), to approve the Development Plan for the automobile dealership at 6210-6290 Hollister Avenue and direct staff to return to Council with a Decision and Findings resolution reflecting the Council's decision.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

14. **Subject: Introduction Of Ordinance Amendments Related To The Regulation Of Accessory Dwelling Units (640.02)**

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings contained in this Council Agenda Report;
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 30 of the Santa Barbara Municipal Code Chapter 30.20 Regarding Accessory Dwelling Units in Residential Zones, Chapter 30.25 Regarding Accessory Dwelling Units in Commercial and Office Zones, Chapter 30.30 Regarding Accessory Dwelling Units in the Manufacturing Zones, Chapter 30.35 Regarding Accessory Dwelling Units in the Coastal-Oriented Zones, Section 30.140.020 Regarding Accessory Building Types, Front Yard Limitation, and Maximum Floor Area, Section 30.140.150 Regarding Required Features for Residential Units, Amending Chapter 30.185 Establishing Development Regulations for Accessory Dwelling Units, and Amending Chapter 1.28 Regarding Attorneys' Fees and Costs; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Accessory Dwelling Unit Covenants as to Form.

Documents:

- May 8, 2018, report from the Community Development Director.
- May 6, 2018, letter form Helen Couclelis.
- May 7, 2018, letter from Denice Adams.
- May 8, 2018, letter form Anna Marie Gott.
- May 8, 2018, letter form Loy Beardsmore.
- PowerPoint presentation prepared and made by Staff.
- Proposed ordinance.
- Proposed resolution.

City Administrator Casey stated that he was recusing himself from consideration of the item due to his purchase of a property that is subject to an accessory dwelling unit application.

Mr. Casey was excused at 4:38 p.m.

Assistant City Administrator Pam Antil joined the meeting at 4:38 p.m.

Councilmember Sneddon read the following statement into the record: "I have been advised by the City Attorney that the Council's decision to include a checklist of special requirements in the ADU Ordinance, for ADUs located in the Foothill HFHA, creates a potential conflict of interest for me as a result of my homeownership within that same area. I will be recusing myself on this advice. [Para.] Up until now, I have been able to participate because while I was potentially affected, so too were thousands of other Santa Barbara homeowners who together comprise the 'public generally' under the state conflict of interest laws. Because there are only about 3,600 parcels in the HFHAs, I developed a conflict when the debate focused on those areas specifically. [Para.] I do want to add that it is extremely frustrating and debilitating not to be able to participate in key issues that I really care about, such as safety in the hillside areas. I intend to seek advice through the City Attorney and Fair Political Practices Commission in an effort to confirm that there are a variety of different safety approaches relating to ADUs that I can raise for Council consideration in the near future without creating a conflict of interest, which I plan to do."

Councilmember Sneddon was excused from the meeting as of 4:39 p.m.

Murillo – Calonne, need 4 people for today but for adoption need 5 votes – unanimous

The titles of the ordinance and resolution were read.

Speakers:

- Staff: Project Planner Rosie Dyste; City Planner Renee Brooke; Assistant City Attorney Scott Vincent; Fire Marshal Joe Poire.
- Members of the public: Ryan Healy; Lyn Krieger; Paul Zink; Jan Ferrell; Lindsay Baker, League of Women Voters; Sue Burk, Eucalyptus Hill Improvement Association; Adeleida Ortega; Loy Beardsmore; Jarrett Gorin, Vanguard Planning Inc. Cassandra Ensberg; Cathie McCammon, La Mesa Neighborhood Association; Sheila Lodge; Suzanne Elledge; Alex Pujo; Steve Fort, Coastal Housing Coalition; Anna Marie Gott; Everett Woody.

Motion:

Councilmembers Hart/Friedman to approve the staff recommendations;
Resolution No. 18-030.

Vote:

Unanimous voice vote (Recused: Councilmember Sneddon.)

COUNCIL AND STAFF COMMUNICATIONS

Councilmember Sneddon returned to the meeting at 6:12 p.m.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Friedman attended the following events or meetings: 1. Youth impact reports; 2. Bluewater Grill opening.
- Councilmember Sneddon attended the following events or meetings: 1. Laguna Blanca Art Exhibit; 2. CCRB meeting; 3. Eucalyptus Hill Association; 4. UCSB Economic Forecast.
- Councilmember Dominguez attended the following events or meetings: 1. Laguna Blanca Art Exhibit; 2. Rotary Club 100 year anniversary.
- Mayor Murillo attended the following events or meetings: 1. UCSB Economic Forecast; 2. Santa Barbara Association of Arts meeting; 3. Bath Street Little Free Library opening.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:14 p.m..

Approved and adopted by the City Council of the City of Santa Barbara on June 26, 2018.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



 CATHY MURILLO
 MAYOR

ATTEST: 

 SARAH GORMAN
 CITY CLERK SERVICES MANAGER

