



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
MARCH 26, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets 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, 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: Proclamation Declaring April As National Poetry Month And Appointment Of Poet Laureate Laure-Anne Bosselaar For 2019-2021 (120.04)**

Recommendation: That Council declare April as National Poetry Month and approve the City Arts Advisory Committee's recommendation for the City Poet Laureate from March 26, 2019 - April 1, 2021.

Action: Proclamation presented to Poet Laureate Laure-Anne Bosselaar for 2019-2021.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Denice S. Adams; Margie Yahyavi, Arts Advisory Committee; Sarah York Rubin; Mary Heebner; Molly Wetta; Lindsey Baker; Peter Marin; Phil Walker; Jeffrey Doorubos; Brian Rosen; Patricia Rosen; Jose Arturo Gallegos; Patricia Conn; Mark Wofford, YMCA Surfrider Foundation.

CONSENT CALENDAR (Item Nos. 2 - 12)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Introduction Of An Ordinance For A License Agreement With Rametto Company, LLC (550.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Public Works Director to Execute a License Agreement Between the City of Santa Barbara, as Licensor, and Rametto Company, LLC, as Licensee, For Nineteen Parking Permits in Parking Lots 2 and 9.

Action: Approved the recommendation (March 26, 2019, report from the City Attorney; proposed Ordinance).

3. Subject: Adoption Of An Ordinance For Annexation Of 726 North La Cumbre Road (680.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Sectional Zoning Map of the City of Santa Barbara, as Referenced in Santa Barbara Municipal Code Section 30.05.020, Pertaining to Zoning Upon Annexation of Assessor's Parcel No. 057-111-003.

Action: Approved the recommendation; Ordinance No. 5878.

4. Subject: Adoption Of Ordinance For Public Safety Communications Manager Compensation (410.06)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5823, the 2017-2019 Management Salary Plan, to Add Emergency Medical Dispatch Pay.

Action: Approved the recommendation; Ordinance No. 5879.

5. Subject: Adoption Of Resolution For Measure A Five-Year Local Program Of Projects For Fiscal Years 2020 – 2024 (530.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2020 – 2024.

Documents:

- March 26, 2019, report from the Public Works Director.
- March 24, 2019, email from Paulina Conn.

Speakers:

- Staff: Transportation Planning and Parking Manager Rob Dayton.
- Member of the Public: Paulina Conn.

Action: Approved the recommendation; Resolution No. 19-018 (March 26, 2019, report from the Public Works Director; proposed Resolution).

6. Subject: February 2019 Investment Report (260.02)

Recommendation: That Council accept the February 2019 Investment Report.

Action: Approved the recommendation (March 26, 2019, report from the Finance Director).

7. Subject: Approval Of T-2 System's Luke Self-Pay Parking Stations As Standard Equipment For The Business Services Division Of The Waterfront Department (550.08)

Recommendation: That Council find it in the City's best interest to waive formal purchase bidding requirements and approve T-2 System's Luke Self-Pay Parking Stations as Standard Equipment for the Waterfront Department for the next three years, in accordance with Section 4.52.070 (L) of the Municipal Code.

Action: Approved the recommendation (March 26, 2019, report from the Waterfront Director).

8. Subject: Appropriate Funds From Waterfront Paving Project To Street Operations (530.01)

Recommendation: That Council authorize the increase of appropriations and estimated revenue in the amount of \$142,961 in the Streets Operating Fund, funded by reimbursements from the Waterfront Fund for repairs performed by City Streets Operations crews at the Waterfront parking lots, which will used for pavement maintenance.

Action: Approved the recommendation (March 26, 2019, report from the Public Works Director).

9. Subject: Contract For Storm Drain System Data Collection And Inspection Services, Phase 2 (530.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Hoffman Southwest Corp., dba: Professional Pipe Services, in the amount of \$176,423 to provide Storm Drain System Data Collection and Inspection Services, Phase 2, and authorize the Public Works Director to approve expenditures of up to \$35,284 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,397 (March 26, 2019, report from the Public Works Director).

10. Subject: Increase In Design Extra Services For Braemar Lift Station Rehabilitation Project (530.01)

Recommendation: That Council authorize an increase in the extra services amount with Carollo Engineers, for design services for the Braemar Lift Station Rehabilitation Project, Contract No. 25,866, in the amount of \$60,948, for a total project expenditure authority of \$524,184.

Action: Approved the recommendation; Agreement No. 25,866.1 (March 26, 2019, report from the Public Works Director).

NOTICES

11. Subject: The public hearing originally scheduled for March 2, 2019, at 2:00 p.m. to hear an appeal of the Planning Commission's approval for 35 N. Calle Cesar Chavez has been rescheduled for April 9, 2019, at 2:00 p.m. (640.07)
12. Subject: The City Clerk has on Thursday, March 21, 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 reported that the Finance Committee reviewed proposed fee changes and unanimously voted to forward the full report for Review.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

- 13. Subject: Resolution Of Intention To Amend The CalPERS Contract For Classic Members Of The Firefighters Association And Fire Management Association (410.01)**

Recommendation: That Council:

- A. Adopt, by reading of title only, a form resolution from the California Public Employees' Retirement System entitled Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Santa Barbara; and
- B. Introduce, and subsequently adopt, an Ordinance of the City Council of the City of Santa Barbara Authorizing an Amendment to the Contract Between the City of Santa Barbara and the Board of Administration of the California Public Employees' Retirement System.

The title of the Resolution and Ordinance was read.

Documents:

- March 26, 2019, report from the Administrative Services Director.
- Proposed Resolution.
- Proposed Ordinance.

Speakers:

- Staff: Administrative Services Director Kristine Schmidt.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendations; Resolution No. 19-019.

Vote:

Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

- 14. Subject: Amendment To Contract For De La Guerra Plaza Preliminary Design And De La Guerra Plaza Revitalization Public Outreach Update (530.01)**

Recommendation: That Council:

- A. Receive a presentation on the De La Guerra Plaza Revitalization Project public outreach process;
- B. Approve an amendment to Contract 21900195 in the amount of \$199,040 for RRM Design Group to provide architectural and conceptual design services for the De La Guerra Plaza Revitalization Project for a total project expenditure authority of \$211,140;

- C. Approve an increase in appropriations and estimated revenues in the General Fund in the amount of \$300,000, funded by unbudgeted Measure C sales tax revenues, for the purpose of transferring additional revenues received to the Measure C Capital Fund for the De La Guerra Plaza Revitalization Project; and
- D. Approve an increase in appropriations and estimated revenues in the Measure C Capital Fund by \$300,000 to cover the cost of the consultant, preliminary environmental review, and possible additional archaeological investigations funded from a General Fund transfer of additional Measure C revenues received in Fiscal Year 2019.

Documents:

- March 26, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- March 24, 2019, email from Paulina Conn.

Speakers:

- Staff: Senior Planner Sara Iza; Public Works Director Rebecca Bjork.
- Consultant: Suzanne Elledge, Suzanne Elledge Planning & Permitting.
- Members of the Public: Francesca Hunter, Farmer's Market; Sandy Lejeune, Santa Barbara Certified Farmers' Market Association; Noey Turk, SBCFMA Board of Directors; Ariana Rose Palmisano; Bill Palmisano; Randy Wade; Beebe Longstreet, Parks and Recreation Commission; Sheila Lodge; Melissa Sorongon; Jonn Doordan, Santa Barbara Trust for Historic Preservation; Bryan Rosen; Paulina Conn; Fred L. Sweeney; Mike Jordan; Anne Petersen, Santa Barbara Trust for Historic Preservation; Carrie Kelly, Downtown Santa Barbara; Bonnie B. Raisin; Larry Ebenstein; Patty Love; Jose Arturo Gallegos; Eve Rinehart; Sam Edelman.

Discussion:

- Topics covered included Farmer's Market mechanics, location, and De La Guerra revitalization efforts. Councilmembers provided direction for staff to bring back information regarding Police Station locations. Councilmembers' questions were answered.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendations and add a member of the Farmer's Market Community, and a member of the Trust for Historic Preservation to the De La Guerra revitalization committee.

Proposed Friendly amendment:

Councilmember Dominguez to split the contract into two parts.

Councilmember Friedman declined to accept this friendly amendment.

Vote:

Majority roll call vote (Noes: Councilmember Dominguez); Agreement No. 26,398.

RECESS

4:46 p.m. – 5:02 p.m.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARINGS

15. **Subject: Appeal Of The Architectural Board Of Review's Denial Of Final Approval For The 711 N. Milpas Street Mixed-Use Project (640.07)**

Recommendation: That Council:

- A. Consider the appeal filed by the applicant RRM Design Group, on behalf of the property owner, 711 N. Milpas LLC, and the appeal filed by Anna Marie Gott and Herman Pfauter, of the Architectural Board of Review's denial of Final Approval for a new mixed-used project located at 711 N. Milpas Street; and
- B. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeal.

Public Hearing opened: 5:03 p.m.

Ex Parte Communications:

- Applicant/appellant representative Steve Amerikaner stated that on March 21, he met with Councilmember Harmon; on March 22 he met with Councilmember Friedman; on March 26 he met with Councilmember Rowse; On March 25 he met with Mayor Murillo, and on March 21 he spoke with the City Attorney.
- Councilmember Dominguez saw Mr. Amerikaner but did not discuss appeal; he also stated that he met with Ms. Gott but may have discussed the item cursorily.
- Councilmember Friedman met with Mr. Amerikaner, in particularly discussing the Housing Accountability Act; he noted that that he had received many emails from the public, including those from Mark Alvarado regarding HUD; he also stated that before he was elected to office, he met with Ms. Gott and discussed a number of issues, including the 711 N Milpas project.
- Councilmember Gutierrez met with the Gott appellants on Monday.
- Councilmember Harmon met with Mr. Amerikaner and met with Ms. Gott.
- Councilmember Rowse met with Mr. Amerikaner.
- Councilmember Sneddon met with Ms. Gott regarding parking.

- Mayor Murillo spoke with Mr. Amerikaner regarding the meeting process.

Documents:

- March 26, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Appellant.
- PowerPoint presentation prepared and made by Applicant.
- February 11, 2019, email from Wm. Howard Wittausch.
- March 15, 2019, letter from Steven Dowty.
- March 15, 2019, letter from Donald Scott.
- March 15, 2019, letter from Matthew Gelfand
- March 18, 2019, letter from Pamela Boehr.
- March 18, 2019, email from Kathy Koury.
- March 18, 2019, letter from Paulina Conn.
- March 18, 2019, letter from Alexandra C. Cole.
- March 19, 2019, letter from Dana Johnson.
- March 19, 2019, letter from Steven A. Amerikaner.
- March 19, 2019, letter from Ann Hefferman.
- March 19, 2019, letter from The Santa Barbara Conservancy.
- March 19, 2019, letter from Donald G. Sharpe.
- March 19, 2019, letter from William Howard Wittausch.
- March 19, 2019, email from Linda Williams.
- March 19, 2019, letter from Rick Closson.
- March 19, 2019, letter from Christine Neuhauser.
- March 19, 2019, letter from Anna Marie Gott.
- March 20, 2019, email from Anna Marie Gott.
- March 21, 2019, letter from Vasanti F. Fithian.
- March 22, 2019, letter from Suzanne Elledge.
- March 23, 2019, letter from Noah M. Reischmann.
- March 23, 2019, email from Anna Marie Gott.
- March 24, 2019, letter from Brian J. Hofer.
- March 25, 2019, letter from John Price.
- March 25, 2019, letter from Steven A. Amerikaner.
- March 26, 2019, letter from Pam Emerson.
- March 26, 2019, email from Anna Marie Gott.
- March 26, 2019, email from Brian Cearnal.

Speakers:

- Staff: Project Planner Kathleen Kennedy; Assistant City Attorney Tava Ostrenger; Transportation Planning and Parking Manager Rob Dayton; Traffic Engineer Derrick Bailey; City Planner Renee Brooke.
- Appellant/Applicant: Steven Amerikaner; Detlev Pikert; Tony Tomasello.
- Appellant: Natasha Todorovic; Anna Marie Gott.
- Architectural Board of Review: David Watkins.

- Members of the Public: Jarrett Gorin, Vanguard Planning, Inc.; Jim Farned; Pam Emerson; Stephanie Armstrong, Chamber of the Santa Barbara Region; Mary Louise Days; Fred Sweeney; Steve Dowty; Don Sharpe; Rick Closson; Kellam De Forest; Paul Weckowski, Shipper Construction; Bonnie Donovan; Chris Barros; Christine Neuhauser; Ann Hefferman; Jose Arturo Gallegos; Mary Turley, Paulina Conn; Sebastian Aldana Jr.; Ken Rivas; Natalia Govoni; Denise Adams; Natasha Torodovic.

Public Hearing closed: 9:14 p.m.

Discussion:

- Councilmembers discussed the project, including the Architectural Board of Review's approval process and equitable tolling. Councilmembers' questions were answered.

Motion:

Councilmembers Rowse/Friedman to uphold the appeal of the RRM Design Group and deny the Gott/Pfauter appeal; and to provide that the doctrine of equitable tolling applied to the project modification, and directing staff to return with findings.

Substitute motion:

- Councilmembers Dominguez/Sneddon to send the project to the Architectural Board of Review to address final details not yet addressed by ABR, and to send the project to the Staff Hearing Officer to apply for the expired setback modification.

Vote on substitute motion:

Motion failed to pass by roll call vote (Ayes: Councilmembers Sneddon, Dominguez; Noes: Councilmembers Friedman, Gutierrez, Harmon, Rowse, Murillo).

Vote on the original motion:

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Councilmember Committee Assignment Reports were not presented at this meeting.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 10:35 p.m.

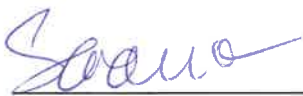
Approved and adopted by the City Council of the City of Santa Barbara on April 23, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER