



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
OCTOBER 29, 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 Ordinance Committee met at 12:30 p.m. The Finance 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: AIDS Awareness Month October 2019 (120.04)**

Action: Proclamation presented to Neil Coffman-Grey.

## **CHANGES TO THE AGENDA**

Mr. Casey announced that Item 15, Abandoned Shopping Cart Ordinance, would be continued to a later meeting.

## **PUBLIC COMMENT**

Members of the Public: Peter Marin; Mark Marshall Wofford, Y.M.C.A, Surf Rider Foundation; Denice Adams, Eastside Coalition; Rick Closson; Phil Walker; Anna Marie Gott; Ariana Rose Palmisano; Susan Anderson.

## **CONSENT CALENDAR (Item Nos. 2 – 14)**

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

### **Motion:**

Councilmembers Rowse/Murillo to approve the Consent Calendar as recommended with changes to Item 2 as described.

### **Vote:**

Unanimous roll call vote.

## **2. Subject: Introduce Ordinances Approving The Addendum To The 2018-2020 General Unit Memorandum Of Understanding And The 2019-2020 Management Salary Plans (440.02)**

Recommendation: That Council:

- A. Ratify the Addendum to the Memorandum of Understanding between the City and the Santa Barbara City Employees' Association, Local 620, Service Employees' International Union (General Unit) through introduction and subsequent adoption, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the Addendum to the 2018-2020 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit) and Providing Compensation Changes for Confidential Employees;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 19-041, the Position and Salary Control Resolution for Fiscal Year 2020, Affecting the Salaries of General Unit, Unrepresented Managers, and Confidential Classifications, Effective November 12, 2019; and
- C. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2019-2020 Salary Plan Applicable to Unrepresented Managers and Professional Attorneys (Including the City Administrator and City Attorney), and the 2019-2020 Salary Plan Applicable to Certain Unrepresented Safety Managers.

### **Speakers:**

- Staff: Administrative Analyst Sam Ramirez

### **Discussion:**

- Mr. Ramirez stated that recommendation B was being withdrawn, and would return to Council at the November 12, 2019 meeting. He also stated that the Ordinance in recommendation C was being changed to not include the City Administrator and City Attorney.

Action: Approved recommendation A and recommendation C as amended; (October 29, 2019, report from the City Administrator; proposed Ordinances; proposed Resolution).

**3. Subject: Domestic Violence Solutions Affordability Covenant Modification (610.04)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Second Amendment to the Declaration of Covenants, Conditions and Restrictions Imposed on Real Property for the Benefit of the City of Santa Barbara and Domestic Violence Solutions and Authorizing the Community Development Director to Execute Such Agreements as Necessary.

Action: Approved the recommendation; Ordinance No. 5916.

**4. Subject: Resolution Authorizing The Public Works Director To Approve And Execute Agreements With Caltrans For State And Federally-Funded Transportation Projects (530.04)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Approve and Execute Agreements with the State of California, Acting By and Through the California Department of Transportation, for State-Funded and Federal Aid Projects.

Action: Approved the recommendation; Resolution No. 19-084 (October 29, 2019, report from the Public Works Director; proposed Resolution).

**5. Subject: September 30, 2019, Investment Report And September 30, 2019, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the September 30, 2019 Investment Report; and
- B. Accept the September 30, 2019 Fiscal Agent Report.

Action: Approved the recommendations (October 29, 2019, report from the Finance Director).

**6. Subject: Olive Mill Roundabout Project – Memorandum Of Understanding Update And Contract Amendment (530.05)**

Recommendation: That Council:

- A. Authorize the City Administrator to execute an updated Memorandum of Understanding between the City of Santa Barbara, the County of Santa Barbara, and the Santa Barbara County Association of Governments to

complete the preliminary design and environmental phase of the Olive Mill Roundabout Project and the San Ysidro Roundabout Project with a total amount not to exceed \$708,399 for the period of performance from the date executed through December 31, 2021; and

- B. Authorize an increase in the extra services amount with TY Lin International, for preliminary design services for the Olive Mill Roundabout Project, Contract No. 26,026, in the amount of \$69,000, for a total project expenditure authority of \$493,922.

Action: Approved the recommendations; Agreement No. 26,574 (October 29, 2019, report from the Public Works Director).

**7. Subject: Contract For Construction Management Of The Tunnel Pump Station Rehabilitation Project (540.06)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$154,110 for construction management services for the Tunnel Pump Station Rehabilitation Project, and approve expenditures of up to \$15,411 for extra services of the Mimiaga Engineering Group that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,575 (October 29, 2019, report from the Public Works Director).

**8. Subject: Contract Amendment For Architectural Design Services For The Santa Barbara Police Station Project (530.01)**

Recommendation: That Council authorize the Public Works Director to execute a First Amendment to the Professional Services Agreement No. 26,257 with Cearnal Collective, LLP for Phase 3 architectural and design services for the Santa Barbara Police Station Project in the amount of \$886,125, and authorize expenditures of up to \$88,613 for extra services that may result from necessary additional work not identified in the scope of work.

Speakers:

- Staff: Principal Project Planner Brad Hess; Assistant City Attorney Sarah Knecht.

Action: Approved the recommendation; Agreement No. 26,257.1 (October 29, 2019, report from the Public Works Director).

**9. Subject: Mills Act Historic Property Contracts For 1600 Olive Street And 2410 State Street (610.01)**

Recommendation: That Council:

- A. Grant exceptions to the Mills Act contract threshold for assessed property valuation, pursuant to Santa Barbara Municipal Code §22.22.160.C.4.m., for designated Structures of Merit at 1600 Olive Street (APN 027-132-021) and 2410 State Street (APN 025-072-017); and
- B. Authorize the Community Development Director to execute the two Mills Act historic property contracts.

Action: Approved the recommendations; Agreement Nos. 26,576; 26,577; (October 29, 2019, report from the Community Development Director).

**10. Subject: Request By Organic Soup Kitchen To Change The Approved Use Of Fiscal Year 2020 Community Development Block Grant Funds To Upgrade Refrigeration System (610.05)**

Recommendation: That Council:

- A. Approve request from Organic Soup Kitchen to change the approved use of Community Development Block Grant Funds Capital funds for Fiscal Year 2020; and
- B. Authorize the Community Development Director to negotiate and execute a grant agreement implementing the amended grant, subject to the review and approval as to form by the City Attorney.

Action: Approved the recommendations; Previously Assigned Agreement No. 26,449 (October 29, 2019, report from the Community Development Director).

**11. Subject: Increase In Professional Services Contract With Joe Mar Polygraph And Investigative Services, Inc. (520.04)**

Recommendation: That Council authorize the increase of the professional services contract with Joe Mar Polygraph & Investigative Services, Inc., by \$85,000 for polygraph and background investigation services for Police Department employment candidates.

Action: Approved the recommendation; Agreement No. 26,249.3 (October 29, 2019, report from the Police Chief).

**12. Subject: Consent To Assign Lease Agreement With Twin Lakes Golf, LLC (330.04)**

Recommendation: That Council authorize the Airport Director to execute a Consent to Assignment of Lease Agreement No. 20,722 between the City of Santa Barbara and Twin Lakes Golf, LLC to a reconstructed limited liability company of the same name.

Action: Approved the recommendation (October 29, 2019, report from the Airport Director).

**13. Subject: Set A Date For A Public Hearing Regarding Single Family Design Board's Project Design Approval And Final Approval At 335 Alston Road (640.07)**

Recommendation: That Council:

- A. Set the date of Tuesday, December 17, 2019, at 2:00 p.m. for hearing the appeal filed by Sharon Fritz, Action Roofing, representing property owners Geoffrey and Maggie Marks of the Single Family Design Board's (SFDB) decision to deny a standing seam metal roof (PLN2019-00388). The property is located at 335 Alston Road, Assessor Parcel No. 015-100-016, RS-25 (Residential Single Unit) Zone; General Plan Designation: Low Density Residential (Max 2 du/ac). The project scope is to replace the brown Cal-Shake shingle roof with a new dark bronze Standing Seam Metal roof on the existing 1,918 square foot one-story residence located in the Hillside Design District; and
- B. Set the date of Monday, December 16, 2019, at 1:30 p.m. for a site visit to the property located at 335 Alston Road.

Action: Approved the recommendations.

NOTICES

- 14. Subject: The City Clerk has on Thursday, October 24, 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 ORDINANCE COMMITTEE**

Ordinance Committee Chair Sneddon reported discussion of the proposed street vending from vehicles ordinance, concluding that some changes could move forward and some will have greater public outreach. The ordinance will return to Ordinance Committee before it is reviewed by Council.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

CITY ATTORNEY

**15. Subject: Abandoned Shopping Cart Ordinance (160.01)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Chapter 9.94 Pertaining to the Prevention of

Unauthorized Removal of Shopping Carts from Commercial Premises and to Facilitate the Retrieval of Abandoned Carts.

This item was continued to a future meeting.

COMMUNITY DEVELOPMENT DEPARTMENT

**16. Subject: Introduction Of An Ordinance For 2019 California Building Standards Codes For Adoption (640.04)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 22.04 of the Municipal Code and Adopting by Reference the 2019 Edition of the California Building Code, Volumes 1 and 2; the 2019 Edition of the California Residential Code; the 2019 Edition of the California Electrical Code; the 2019 Edition of the California Mechanical Code; the 2019 Edition of the California Plumbing Code; the 2019 Edition of the California Energy Code; the 2019 Edition of the California Historical Building Code; the 2019 Edition of the California Existing Buildings Code; the 2019 Edition of the California Green Building Standards Code; the 2019 Edition of the California Referenced Standards Code; and the 2015 International Property Maintenance Code; Adopting Local Revisions to Those Codes; and Repealing Ordinance Number 5639;
- B. Provide direction to staff regarding Code language pertaining to whether actions of the City's Building and Fire Code Board of Appeals should be appealable (on the record) to the City Council;
- C. Set a public hearing for November 12, 2019, at 2:00 p.m. in the City Council Chambers; and
- D. Direct staff to publish notice of the public hearing in accordance with the procedures specified in Government Code Section 6066 (Attachment 1).

The title of the Ordinance was read.

Documents:

- October 29, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

Speakers:

- Staff: Building Official Andrew Stuffer; Assistant City Attorney John Doimas.
- Members of the public: Barbara Bonadeo.

Motion:

Councilmembers Rowse/Dominguez to approve the staff recommendations without including the appeal to Council.

Vote:

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

## FIRE DEPARTMENT

### **17. Subject: Introduction Of An Ordinance For 2019 Fire Code For Adoption (520.03)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 8.04 of the Municipal Code and Adopting by Reference the 2018 Edition of the International Fire Code, Including Appendix Chapter 4 and Appendices B, BB, C, CC and H of that Code, and the 2019 California Fire Code with Local Amendments to Both Codes;
- B. Set a public hearing for November 12, 2019 at 2:00 p.m. in the City Council Chambers;
- C. Direct staff to publish notice of the public hearing in accordance with the procedures specified in Government Code Section 6066; and
- D. Provide direction to staff regarding Code language pertaining to whether actions of the City's Building and Fire Code Board of Appeals should be appealable (on the record) to the City Council.

The title of the Ordinance was read.

Documents:

- October 29, 2019, report from the Fire Chief.
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

Speakers:

- Staff: Fire Prevention Division Chief Joe Poire.

Motion:

Councilmembers Sneddon/Dominguez to approve the staff recommendations without including the appeal to Council.

Vote:

Unanimous roll call vote.

## RECESS

Mayor Murillo recessed to closed session at 3:25 p.m. and stated that no reportable action is anticipated.

## CLOSED SESSIONS

**19. 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 Rafael Molina v. City of Santa Barbara WCAB Case #: ADJ7465990, ADJ6402893, ADJ8833312, ADJ8327882, 9/01/13 injury unassigned.

Scheduling: Duration, 20 minutes; anytime  
Report: None anticipated

Documents:

- October 29, 2019, report from the City Attorney.

Time: 3:25 p.m. – 3:50 p.m.

No report made.

## RECESS

3:50 p.m. – 4:00 p.m.

## MAYOR AND COUNCIL REPORTS

**18. Subject: Architectural Board Of Review Special Recruitment Applicant Interviews (140.05)**

Recommendation: That Council hold interviews of applicants to the Architectural Board of Review.

Documents:

- October 29, 2019, report from the City Administrator.

The following applicants were interviewed for Architectural Board of Review:

Dennis Whelan  
Allen MesKimen

David Black

## COUNCIL AND STAFF COMMUNICATIONS

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Community Education Council Leadership Breakfast; 2. Homelessness session at Unity Church; 3. Goleta Valley Partners; 4. Guest lecture at Santa Barbara City College in Political Science class.
- Councilmember Friedman attended the following events or meetings: 1. Tour of Planned Parenthood facility; 2. San Roque Church picnic; 3. Community Environmental Council Leadership Breakfast; 4. La Colina Community Art night; 5. Tour of Museum of Art construction project.
- Councilmember Harmon attended the following events or meetings: 1. Youth Council forum; 2. Community Education Council Leadership Breakfast; 3. Mayor's Awards regarding working with differently abled; 4. Met with second grade students from Crane Country Day School; 5. Community Corrections Partnership sub-working group.
- Councilmember Sneddon attended the following events or meetings: 1. Updates on Parks and Recreation Commission expanding popular camps; 2. Urban Housing discussion; 3. Community Education Council Leadership Breakfast; 4. COMB meeting; 5. Youth Council Forum for candidates.
- Mayor Murillo attended the following events or meetings: 1. Mayor's Awards regarding working with differently abled; 2. Assembly member Monique Limon hearing regarding role of nonprofits in emergencies; 3. A-OK Goes to College event; 4. Chaired Affordable Housing Task Group meeting; 5. Planned Parenthood tour.

### PUBLIC COMMENT (IF NECESSARY)

### ADJOURNMENT

Mayor Murillo adjourned the meeting at 4:20 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 19, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
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CATHY MURILLO  
MAYOR

ATTEST:   
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SARAH GORMAN  
CITY CLERK SERVICES MANAGER