



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JUNE 25, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 p.m. (The Finance Committee and 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, 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: LGBT Pride Month June 2019 (120.04)

Action: Proclamation presented to Neil and Keith Coffman-Grey.

CHANGES TO THE AGENDA

City Administrator Paul Casey announced that Item 19 would be continued to a further meeting.

PUBLIC COMMENT

Members of the Public: Cat Smith; Lindsey Baker; Denice S. Adams; Phil Walker; Jose Arturo Gallegos; Frank Rodriguez, CAUSE; Mark Sheridan; Rick Closson; Natalia Govoni; Lorna Boyd; Sean Dooner, Paradise Pit; Anna Marie Gott; Bonnie Donovan.

CONSENT CALENDAR (Item nos. 2 – 16)

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

Motion:

Councilmembers Friedman/Rowse to approve Consent Calendar items as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meetings of April 16, April 23, April 30, May 7, and May 14, 2019, and the minutes of the special meetings of April 23, May 6, May 8, two meetings on May 13, May 15, and May 20, 2019.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance For Extension Of Memorandum Of Understanding With Hourly Bargaining Unit (440.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5805, the 2017-2019 Memorandum of Understanding with the Hourly Employees' Bargaining Unit, to Extend the Term of the Agreement Through June 30, 2020 and Provide Pay Rate Increases for Certain Classifications.

Action: Approved the recommendation; Ordinance No. 5889; (Proposed Ordinance).

4. Subject: Adoption Of Resolution Relating To The General And Special Municipal Election Of November 5, 2019 (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Calling for the Holding of a Vote-By-Mail General and Special Municipal Election to be Held in the City on Tuesday, November 5, 2019, for the Election of Certain Officers as Required by the Provisions of the Charter and that Certain Settlement Agreement Dated March 10, 2015, in Banales, et al. v. City Of Santa Barbara; and
- B. Authorize the City Clerk to conduct the November 5, 2019 General Municipal Election and Special Municipal Election as a Vote-By-Mail Election.

Action: Approved the recommendations; Resolution No. 19-044; (June 25, 2019, report from the City Administrator; proposed Resolution).

5. Subject: Agreement With Downtown Santa Barbara For State Street Landscape And Sidewalk Maintenance (530.01)

Recommendation: That Council authorize the Public Works Director to execute a one-year agreement in the amount of \$655,902 with Downtown Organization of Santa Barbara, Inc., for landscape maintenance, sidewalk cleaning, placement of holiday lighting, and general maintenance of the 00-1200 blocks of State Street, from Victoria Street to Cabrillo Boulevard, including the Highway 101 underpass and cross streets, from July 1, 2019, through June 30, 2020.

Action: Approved the recommendation; Agreement No. 26,482 (June 25, 2019, report from the Public Works Director).

6. Subject: Contract For Construction Of The Tunnel Pump Station Rehabilitation Project (530.01)

Recommendation: That Council:

- A. Award a contract with GSE Construction Company, Inc., waiving minor irregularities (if applicable), in its low bid amount of \$2,155,800 for construction of the Tunnel Pump Station, Bid No. 3935; and authorize the Public Works Director to execute the contract and approve expenditures up to \$215,580 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;
- B. Authorize the Public Works Director to execute a contract with Pacific Rim Automation in the amount of \$327,250 for construction support services to integrate the instrumentation and control systems, and approve expenditures of up to \$29,750 for extra services of Pacific Rim Automation that may result from necessary changes in the scope of work;
- C. Approve an increase in appropriations in the Water Operating Fund in the amount of \$635,240, funded from Water Operating Fund reserves, and authorize the transfer of such funds to the Water Capital Fund; and
- D. Approve an increase in appropriations and estimated revenues in the Water Capital Fund in the amount of \$635,240, funded by a transfer from the Water Operating Fund, for the Tunnel Pump Station Rehabilitation Project.

Action: Approved the recommendations; Agreement Nos. 26,483; 26,484 (June 25, 2019, report from the Public Works Director).

7. Subject: Contract For Construction Of The Citywide Wayfinding Signage Program Phase 2 (530.01)

Recommendation: That Council:

- A. Award a contract with Bay Area Sign, dba Aloha Electric Sign Company, including the base bid and additive for a total contract amount of \$241,364 for sign manufacture and installation of the Citywide Wayfinding Signage Program Phase 2, Bid No. 3958; and authorize the Public Works Director to execute the contract and approve expenditures up to \$24,136 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; and
- B. Authorize the General Services Manager to increase the existing Purchase Order with Hunt Design for a total contract amount of \$55,250 to provide engineering design support services during construction of the Citywide Wayfinding Signage Program Phase 2.

Action: Approved the recommendations; Agreement No. 26,485 (June 25, 2019, report from the Public Works Director).

8. Subject: Appropriation Of Anticipated Revenue To Support Ongoing Sewer Connection Replacement Program Costs (540.13)

Recommendation: That Council approve an increase in appropriations and estimated revenues in the Wastewater Operating Fund in the amount of \$190,000, funded by additional sewer tap permit fee revenue, for sewer connection replacement costs.

Speakers:

- Staff: Public Works Director Rebecca Bjork.
- Members of the public: Brian Sheridan; Lisa Sands; Phil Walker.

Motion:

Councilmember Dominguez to table the item until consideration of the item at July 7 and July 30 meetings.

The motion failed for lack of a second.

Action: Approved the recommendation (June 25, 2019, report from the Public Works Director).

9. Subject: Increase The Contract For Design Of The Cabrillo Boulevard And Union Pacific Railroad Bridge Project (530.01)

Recommendation: That Council:

- A. Authorize the City Administrator to sign Amendment No. 3 to the Memorandum of Understanding, approved as to form by the City Attorney, with the Santa Barbara County Association of Governments to increase the funding from the Santa Barbara County Association of Governments by

- \$1,644,000, from \$2,477,000 to \$4,121,000, for work to complete Phase 3 of the Cabrillo Boulevard and Union Pacific Railroad Bridge Project;
- B. Authorize the Public Works Director to execute Amendment No. 2 to the City Professional Services Agreement number 26,031 with T.Y. Lin International in the amount of \$885,497 for design services; and
 - C. Authorize an increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of \$1,644,000, funded by additional revenues from the Santa Barbara County Association of Governments, for the Cabrillo Boulevard and Union Pacific Railroad Bridge Project.

Action: Approved the recommendations; Agreement Nos. 25,513.3, 26,031.2 (June 25, 2019, report from the Public Works Director).

10. Subject: School Crossing Guard Agreements – Santa Barbara Unified And Hope School Districts (530.01)

Recommendation: That Council:

- A. Authorize the City Administrator to execute a Memorandum of Understanding with the Santa Barbara Unified School District for School Crossing Guard services, including Peabody School, from July 1, 2019 through June 30, 2022;
- B. Authorize the City Administrator to execute a Memorandum of Understanding with the Hope School District for School Crossing Guard services from July 1, 2019 through June 30, 2022;
- C. Approve a decrease in appropriations and estimated revenues in Fiscal Year 2020 in the amounts of \$127,416 and \$63,708, respectively, in the General Fund Police Department Budget to reflect the shift of the School Crossing Guard Program from the Police Department to Downtown Parking;
- D. Approve an increase in appropriations in Fiscal Year 2020 in the amount of \$59,062 in the General Government Budget in the General Fund, and authorize the transfer of such funds to the Downtown Parking Fund;
- E. Approve an increase in appropriations and estimated revenues in Fiscal Year 2020 in the amount of \$118,124 in the Downtown Parking Fund, funded by a reimbursement from the Santa Barbara Unified School District and a transfer from the General Government Budget in the General Fund; and
- F. Approve an increase Fiscal Year 2020 General Fund appropriated reserves, General Government Budget, by \$4,646 to rebalance the General Fund budget.

Action: Approved the recommendations; Agreement Nos. 26,486; 26,487 (June 25, 2019, report from the Public Works Director).

11. Subject: Approve Waiver Of Formal Competition Requirement For Culver-Newlin For Eastside Library Furniture (570.04)

Recommendation: That Council:

- A. Find it in the City's best interest to waive the Formal Bid process as provided by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order to Culver-Newlin on the terms of the San Bernardino County Superintendent of Schools in the amount of \$71,359.53; and
- B. Authorize the General Services Manager to approve expenditures up to 10% of the total cost to cover any increases that may result from changes to the covered proposal between City Council approval date and termination of the purchase order.

Action: Approved the recommendations (June 25, 2019, report from the Library Director).

12. Subject: Lease Agreements With Non-Profit Organizations At The Westside And Franklin Neighborhood Centers (570.08)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Westside Neighborhood Center for the Independent Living Resource Center, UCP/Work Inc., and the United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties; and
- B. Authorize the Parks and Recreation Director to execute an annual lease agreement for office space at the Franklin Neighborhood Center for the California Rural Legal Assistance, Inc.

Action: Approved the recommendations; Agreement Nos. 26,488; 26,489; 26,490; 26,491 (June 25, 2019, report from the Parks and Recreation Director).

13. Subject: Authorization To Amend Agreement For Legal Services With Meyers Nave Riback Silver & Wilson, PLC For City of Santa Barbara Vs. CDM Smith Inc. And Related Cross-Complaints (160.01)

Recommendation: That Council:

- A. Authorize the City Attorney to amend legal services agreement number 26,055 with Meyers Nave Riback Silver & Wilson, PLC, to increase the not-to-exceed amount by \$300,000 from \$1,000,000 to \$1,300,000, for special counsel services relating to City of Santa Barbara vs CDM Smith Inc. and related cross-complaints SBSC Case No. 17CV01847; and
- B. Approve an increase in appropriations in the Fiscal Year 2019 Water Fund budget in the amount of \$300,000, funded from the use of reserves above policy requirements, to cover the increased costs for legal services from Meyers Nave Riback Silver & Wilson, PLC.

Action: Approved the recommendations; Agreement No. 26,055.2 (June 25, 2019, report from the City Attorney).

14. Subject: Fiscal Year 2019 Interim Financial Statements For The Eleven Months Ended May 31, 2019 (250.02)

Recommendation: That Council accept the Fiscal Year 2019 Interim Financial Statements for the Eleven Months ended May 31, 2019.

Action: Approved the recommendation (June 25, 2019, report from the Finance Director).

15. Subject: May 2019 Investment Report (260.02)

Recommendation: That Council accept the May 2019 Investment Report.

Action: Approved the recommendation (June 25, 2019, report from the Finance Director).

NOTICES

16. Subject: The City Clerk has on Thursday, June 20, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING

17. Subject: Reintroduction Of Ordinance Amendments To Chapter 30.150 For Inclusionary Rental Housing (660.01)

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 Chapter 30.150 of the Santa Barbara Municipal Code Pertaining to Inclusionary Housing Requirements for the Average Unit-Size Density Incentive Program; and
- C. Approve the second amendment to City Agreement No. 26,338 with Keyser Marston Associates, Inc., to increase the contract amount by a not-to-exceed amount of \$2,500, for a total amount of \$43,500, for further input

regarding the update to the 2017 Keyser Marston Associates Economic Feasibility Study.

The title of the Ordinance was read.

Public Hearing opened: 2:51 p.m.

Documents:

- June 25, 2019, report from the Community Development Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by staff.
- June 20, 2019, letter from L. Carlos.
- June 23, 2019, letter from M. Alvarado.
- June 24, 2019, letter from P. Didier.
- June 24, 2019, letter from B. Bernstein.
- June 25, 2019, letter from A. Dewey.

Speakers:

- Staff: Project Planner Jessica Metzger, Principal Planner Daniel Gullett, City Planner Renee Brooke.
- Consultant: David Doezema, Keyser Marston Associates.
- Members of the Public: Lindsey Baker, League of Women Voters; Frank Rodriguez; Mark Sheridan; Rick Closson; Bonnie B. Raisin; Sheila Lodge; Bonnie Donovan; Christine Neuhauser; Bob Hart, SBAOR; Jose Arturo Gallegos; Dick Flacks, SBCAN; Anna Marie Gott; Lisa Sands.

Public Hearing closed: 3:42 p.m.

Motion:

Councilmembers Friedman/Sneddon, within and outside the Central Business District for projects with ten or more units, 10% onsite inclusionary housing is required; for projects with 4 units or less an in lieu fee or inclusionary unit is not required; for projects with 5-9 units an in lieu fee of \$25 per square foot or the building of an on-site inclusionary unit is required; Agreement No. 26,338.2.

Vote:

Unanimous roll call vote.

CITY ADMINISTRATOR

18. Subject: Update Of Southern California Edison Downtown Reliability Program (380.01)

Recommendation: That Council receive and comment on a presentation by Southern California Edison on the Downtown Santa Barbara Reliability Project.

Documents:

- June 25, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by Southern California Edison staff.

Speakers:

- Southern California Edison: Rondi Guthrie, Government Relations Manager; Carolina Gonzalez, Project Manager; Tyler Long, Operations Supervisor.
- Members of the Public: Anna Marie Gott; Carrie Kelly, Downtown Santa Barbara.

Discussion:

- Southern California Edison staff made a presentation regarding the status of the Edison project and interactions with the public. Councilmembers' questions were answered.

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING

19. Subject: Revisions To The Mills Act Historic Preservation Incentive Program (610.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara to Adopt Administrative Rules and Procedures for Implementation of the State Mills Act Program.

This item was continued to a later date.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Friedman attended the following events or meetings: 1. Community Choice Energy subcommittee; 2. Airport light industrial complex ribbon cutting; 3. Solstice Parade; 4. Site visit to Army Reserve base at Las Positas and State with representatives of American Indian Health and federal representatives.
- Councilmember Sneddon attended the following events or meetings: 1. Rescue Mission re-opening; 2. Leadership Santa Barbara County graduation; 3. Solstice Parade; 4. COMB meeting; 5. Creeks Committee meeting; 6. Juneteenth celebration at the Library.
- Councilmember Gutierrez attended the following events or meetings: 1. Livable Cities Conference; 2. Solstice Parade; 3. Airport light industrial complex ribbon cutting; 4. Westside volunteer thank you event.

- Councilmember Dominguez attended the following events or meetings: 1. Day reporting center graduation; 2. Solstice Parade; 3. Margerum Wine Company ribbon cutting; 4. Rescue Mission re-opening; 5. League of Cities Coastal Cities Issues group meeting; 6. Home for Good meeting.
- Mayor Murillo attended the following events or meetings: 1. First Presbyterian Church 150th anniversary celebration; 2. Airport light industrial complex ribbon cutting; 3. Community Choice Energy subcommittee; 4. Home for Good meeting; 5. SBCAG meeting; 6. APCD meeting.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

20. Subject: Conference With City Attorney – Existing Litigation (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 Jeffrey Hanson v. City of Santa Barbara, et al. SBSC Case No. 18CV04769.

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

Time: 4:55 p.m. – 5:10 p.m.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:10 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on July 16, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
 CITY CLERK'S OFFICE



 CATHY MURILLO
 MAYOR

ATTEST: 

 SARAH GORMAN
 CITY CLERK SERVICES MANAGER